LEGAL RULINGS ON SLAUGHTERED ANIMALS

By

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Published By:

Maktaba-e-Darul-Uloom

Karachi. Pakistan

LEGAL RULINGS

ON

SLAUGHTERED ANIMALS

The ruling of meat slaughtered by Jews and Christians
The modern automated method of slaughter
A fatwa (legal ruling) on the meat imported by Saudi Arabia and other Muslim Countries

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Maktaba-e-Darul-Uloom
Karachi 75180, Pakistan

First Edition : Jumadul Ula 1426 June 2005

Publisher : Maktaba-e-Darul-Uloom Karachi
Edited By : Mualana Ebrahim Muhammad
Attorney Mahomed Shoaib Omar
Mufti Masood Qasim
Dr. Ahmed Essop Ismail
Maulana Muhammad Amejee
Maulana Farid Patel

Distributor in Pakistan

Maktaba-e-Darul-Uloom Karachi
Idaratul-Ma,arif Karachi 14
Idara-e-Isalmiat Urdu Bazar Karachi
Darul-Isha,at Urdu Bazar Karachi

Distributor in Europe

Islamic Da'wah Academy
www. dawahacademy.com
e-mail: Abdullahasia @ yahoo.com
Azhar Academy Ltd.
At Continenta (London) Ltd. Cooks Road, London
E152 P.V
Tel:0044 2085349191 Fax: 004 2085199190

Acknowledgements to:

South African National Halaal Authority (SANHA)
for their contribution in making this Translation a reality

TABLE OF CONTENTS

Translator's Note

The consumption of lawful food is an issue of paramount importance for every Muslim. There is a direct link between the consumption of lawful foods and the ability of a person to worship Allâh. Rasûlullâh ﷺ has also issued a very severe warning for those people who consume unlawful food. He is reported to have said, "The body of a person who is nourished by unlawful food will not enter *Jannah* (paradise)."[1]

Similarly, the *duâ'* (invocation) of a person who eats unlawful food is not accepted. It is narrated in an authentic Hadîth that Rasûlullâh ﷺ once described a person who has been on a long journey, his hair is disheveled, and dust has gathered on his body. This person raises his hands to the sky and cries out, "O my Lord, O my Lord," whereas his food and drink is from unlawful sources. His body has also been nourished with unlawful food. [If this is the case] then how can his invocation be accepted?"[2] Duâ' is a great asset and weapon of the Muslims which they can resort to at times of need and difficulty. This Hadîth emphasizes how important it is for Muslims to ensure that they eat only lawful food in order for their duâs to be accepted and for Allâh to remove their difficulties. We can deduce from this that one practical step which Muslims can take for dealing with the current crisis is to make it a priority to eat only lawful food and do all that is in their capacity to abstain from doubtful or unlawful food.

There are many serious issues regarding unlawful and lawful foods which affect Muslims in recent times. The masses and

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[1] At-Targhîb Wa At-Tarhîb (vol. 2, pg. 552-3)

[2] Sahih Muslim (1015)

even the Islamic scholars have held conflicting views on these issues, thus causing great confusion for the average Muslim. One of these issues is the permissibility of consuming the 'food of the people of the book' as mentioned in the Holy Qurân. Some people have used this verse to prove that all meat found in western countries is lawful, irrespective of whether it was slaughtered according to Islâmic law or not. Similarly, many Muslims hold the view that it is lawful to consume any meat slaughtered by non-Muslims and sold in their stores, irrespective of how it is slaughtered, as long as the Muslim himself recites the name of Allâh at the time of eating. There is a great fear that many Muslims are eating doubtful meat or meat which does not meet the requirements of slaughter under Islamic law based on their incorrect understanding of this verse, thereby exposing themselves to all the spiritual harms of eating unlawful food mentioned above. It is extremely important to clarify this matter and explain the true meaning of this verse along with the conditions which need to be met in order for the meat of the people of the book to become lawful.

Another important issue is the modern method of slaughter which is currently being used in slaughterhouses and abattoirs. This automated method has brought about many contentious issues which could possibly make the slaughtered animal unlawful to consume. These problem areas include machine slaughtering, the practice of stunning the animal before the slaughter, the recitation of the name of Allâh on each animal, as well as others. There is a great need to clearly identify those aspects of the new method of slaughter which are acceptable in Islâmic law and those which are not acceptable so that the Muslim consumer can know which meat to consume.

Similarly, there has been great controversy amongst Muslims in recent times regarding the meat imported into Saudi Arabia and the imported meat sold in Makkah and Madina in particular. Some concerned Muslims have been abstaining from this meat, whereas a good percentage is either unaware of this issue or feels that this meat is lawful. The matter has been further complicated by the fact that Muslims have not had access to reliable and accurate information regarding how this meat was slaughtered. Thus, it is of utmost importance for Muslims to gain further clarification in this regard, especially when we take into consideration the fact that Allâh more readily accepts the *duâs* of his servants in these two holy places.

The Muslim world desperately needs to resolve these above-mentioned issues so that Muslims can know with certainty which foods are lawful and which are unlawful. The translator happened to come across a book written by Mufti Taqi Usmani called *Ahkaam Adhabâih* (Legal rulings on slaughtered animals) which very thoroughly and convincingly addressed these issues as well as others, making it an indispensable book for every Muslim in today's times. The only drawback was that this book was written in the Arabic language as a presentation to an Arab audience, meaning that the general public did not have access to it. Thus, the translator felt that there was a great need for this book to be translated to the English language in order to educate Muslims on these important issues.

What further adds value to this book is the fact that the author is a world renowned scholar and an authority with regards to contemporary issues of Islamic Jurisprudence. He holds a degree in law and has served as a Judge at the Shariah Appellate Bench of the Supreme Court of Pakistan. Mufti Taqi also is the deputy chairman of the Jeddah-based Islamic Fiqh

Academy, which indicates that he is held in esteem by Muslims of all backgrounds. He has written more than 40 books on a wide range of topics in the Arabic, Urdu, and English languages. These books have been widely accepted by Muslims all over the world. In short, the contents of this book carry greater weight because of the auspiciousness and high esteem of the original author.

The translator has done his best to ensure that the translation is accurate and that the message of the original book is preserved. He has consulted with specialists and scholars of Islamic law throughout the translation, and had them participate in the editing process. At certain places, the translator has included additional information with the permission of the author in the form of appendices to shed further light on certain issues.[3]

May Allâh use this book to give Muslims the correct understanding of the spirit of Islam and save them from unlawful food.

Abdullah Nana

[3] Since English grammar and spelling varies from country to country, the translator would like to inform the readers that this translation was done in U.S. English.

AUTHOR'S PREFACE

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بسم الله الرحمن الرحيم
الحمد لله وكفى وسلام على عباده الذين اصطفى

This book was originally written by me in Arabic and was presented before the Islamic Fiqh Academy Jeddah. The basic purpose was to explain the principles of Shariah about slaughtering an animal and to dispel some misconceptions about them. Some issues relating to the modern techniques of slaughter were also discussed for consideration and further research by 'Ulama'.

Moulana Abdullah Nana has rendered this book into English with my permission. Due to my heavy involvements I could not review the translation. However, I went through some of its parts and found them correct.

I pray to Allah Ta'ala that He may bless this effort with His approval and make it beneficial for the readers.

Muhammad Taqi Usmani
22/4/1426
30.5.2005

Introduction

Allâh ﷻ has made it lawful for the Muslims to eat from the wholesome meat of animals and to derive benefit from their other parts. However, Allâh ﷻ has made this permissibility subject to the laws of the Qurân and Sunnah (sayings of the Holy Prophet ﷺ). These laws emphasize the fact that an animal in its origin is similar to a human in that both have life, perception, and senses through which they feel both pleasure and pain. If this common link between humans and animals was to be taken into consideration, then it should have been unlawful to slaughter animals, eat from their meat, and derive benefit from their other body parts. However, Allâh ﷻ made humans the best of creation and made the entire universe subservient to them. Everything Allâh ﷻ has created is for the benefit of humans, and it is in this regard that He ﷻ says,

و هو الذي خلق لكم ما في الأرض جميعا

Translation: "It is He who created for you all of that which is on the earth."[4]

Because of the fact that animals were made lawful to consume contrary to their original position (of life being sacred) solely due to the grace of Allâh ﷻ, He has kept this permissibility subject to certain laws which are related to worship. When a person slaughters according to the laws of the Qurân and Sunnah, he acknowledges that this animal was made lawful for

[4]Qurân(2:29)

him only through the bounty and grace of Allâh. He also realizes that his right to derive benefit from these animals and enjoy himself in eating them can only be acknowledged by thanking Allâh for this bounty and by slaughtering the animal according to the method stipulated by Allâh.

It is for this reason that Islâmic law is superior to the laws of other religions in specifying the method of slaughter, stipulating the fundamental principles behind the slaughter, and establishing the laws of slaughtering. The slaughtering of animals is not a ordinary affair in which a person is free to do as he wishes without having to follow any rule or principle for the method of slaughter. Rather, slaughtering is a matter related to worship in which a Muslim is bound to follow the laws described by the Qurân and the Sunnah.

Therefore, the view of Muftî Muhammad Abduhu and his student Shaikh Rashîd Ridhâ that the slaughtering of animals is an ordinary affair in which a person is free to do as he pleases is clearly wrong and goes against the clear texts of the Qurân and Sunnah. It is narrated in an authentic Hadîth that Rasûlullâh ﷺ said,

من صلى صلاتنا واستقبل قبلتنا و أكل ذبيحتنا فذلك المسلم الذي له ذمة الله و رسوله

Translation: "Whoever performs our *Salâh* (method of prayer), faces our *qiblah* (direction of the Holy Ka'ba in Makkah), and eats the animals which we slaughter is a Muslim who is deserving of the protection of Allâh and his Messenger ﷺ."[5]
There is another narration which emphasizes this point even more clearly.

[5] Sahîh Bukhâri (391)

عن رسول الله صلى الله عليه و سلم قال : أمرت أن أقاتل الناس حتى يقولوا لا إله إلا الله فإذا قالوها و صلوا صلاتنا واستقبلوا قبلتنا و ذبحوا ذبيحتنا فقد حرمت علينا دماؤهم و أموالهم إلا بحقه

Translation: Rasûlullâh said, "I have been ordered to wage war with people until they say that there is no god but Allâh. When they recite this, perform our *Salâh*, face our *qiblah*, and slaughter according to our way of slaughter, then their blood and wealth becomes sacred for us, except that blood and wealth in which a right has been established."[6]

In this Hadîth, Rasûlullâh ﷺ has drawn a parallel between the Islâmic method of slaughter and *Salâh* and facing the *qiblah*. Thus, he has alluded to the fact that the Islâmic way of slaughtering is a distinct symbol of Islâm through which a Muslim can be distinguished from a non-Muslim and an indication that the slaughterer is a Muslim, by means of which his blood and wealth becomes sacred. Can there be any proof greater than this in establishing the fact that the Islâmic method of slaughter is a matter related to worship and is a distinctive symbol of Islâm from which we can infer that the slaughterer is a Muslim?

Hâfiz Ibn Hajar says in the commentary of this Hadîth, "We can deduce from this Hadîth that we will deal with people according to the external actions which they present to us. This means that we will apply the laws of Islâm to a person who outwardly does an action which is a distinguishing feature of Islâm, unless he does something contrary."[7]

[6] Sahîh Bukhâri (392)
[7] Fathul Bârî (vol. 1, pg. 497)

If the slaughtering of animals did not have to be governed by specific laws, then it would have been lawful to eat the meat of animals slaughtered by pagans, Magians (fire worshippers), and atheists, and the permissibility would not been limited to the meat of animals slaughtered by Muslims or the people of the book (Jews and Christians). It is obvious that it is not necessary that the producer of foods other than meat (vegetables, etc.) be a Muslim or from the people of the book. Instead, it is lawful for us to eat these foods, regardless of who produces them. Therefore, if the slaughtering of animals was an ordinary matter which was not governed by the laws of worship, then it would have also been lawful to eat the meat of animals regardless of who the slaughterer is. This proves that meat products have a special status in Islâmic Law and that these animals have to be slaughtered in accordance to the laws prescribed by the Qurân and Sunnah in order for them to become lawful for us to consume.

In the light of what has been mentioned above, the laws of hunted and slaughtered animals are one of the most important chapters mentioned in the books of Fiqh (Islâmic law). The scholars of Fiqh have described in detail the laws of slaughter derived from the Qurân, Sunnah, and the narrations of the Sahâbah (companions of Rasûlullâh ﷺ) and Tabiî'n (people who saw the Sahâbah ؓ). That is why you will not find a single book of Fiqh which does not contain a separate chapter for laws of hunted and slaughtered animals. It is not our objective to discuss all these laws in this book, but we do intend to discuss the fundamental principles behind these laws and apply them to our current situation. This book outlines the following topics.

1. The method of slaughter in Islâmic Law and its conditions
    i. The procedure for killing the animal
    ii. Reciting the name of Allâh during the slaughter
    iii. The slaughterer must be a Muslim or from the people of the book

2. The method of slaughter implemented in modern slaughterhouses

3. The ruling for when the slaughterer's identity is unknown

4. The ruling of imported meat

We ask Allâh to grant us divine ability to do that which is correct and to guide us towards that which pleases Him.

Chapter 1: The Method Of Slaughter In Islâmic Law And Its Conditions

In Arabic, the literal meaning of the words *tadhkiyah* and *dhakâh* is 'to complete.' [8] Hence, we will use this word in Arabic to describe a person who is old-aged and whose intelligence is complete. The method of slaughter in Islâmic law is also called '*dhakâh*' because all the requirements for an animal becoming lawful to consume are 'completed' by slaughtering according to this method. Imâm Qurtubi has written in his commentary of the Qurân that the verse, "except [those animals] which you made *dhakâh* of," refers to those animals which were slaughtered completely according to Islâmic law.[9] Some scholars hold the view that *tadhkiyah* means to perfume and beautify the smell of something because a pleasant smell begins to emanate from the animal once its blood flows out.

The above discussion was regarding the linguistic meaning of this word. According to Imâm Qurtubi, the technical definition of *tadhkiyah* is to make the blood of the animal flow and cut the vessels when it is an animal which can be slaughtered as such. The lower part of the neck near the chest will be pierced when it is an animal which can be slaughtered in this manner (i.e. a camel). Otherwise, if the animal cannot be subdued, then the hamstrings of the animal will be cut. In both cases, the slaughterer should make the intention for slaughtering and reciting the name of Allâh.

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[8] See Lîsânul A'rab (vol. 14, 288)
[9] Tafsîr Qurtubi (vol. 6, pg. 51)

Because of the fact that there is a difference of opinion regarding some of the conditions in Qurtubi's definition, a better definition of *dhakâh* is to kill an animal according to the method of slaughter shown by Islâm for making an animal lawful for consumption.[10]

The scholars of Fiqh have laid down three basic conditions for the slaughter to be valid in Islâmic law. The first condition is regarding the method used to kill the animal. The second is that the name of Allâh be recited, and the third is that the proper qualifications be found in the slaughterer. We will now discuss these three conditions in some detail.

Chapter 2: The Procedure for Killing the Animal

The method of killing an animal in Islâmic law differs according to the category of the animal. If the animal cannot be subdued either because it is a wild animal or domesticated animal which runs wild, then it is sufficient to wound it with a sharp, piercing object which causes its blood to flow until it dies. It is not necessary to slaughter or pierce the lower chest of these animals. This type of slaughter is called "*Adh-dhakâh Al-Idhtirâry*," i.e. the method of slaughter which is resorted to only at the time of necessity. This method can only be used for hunting. It is not the objective of this treatise to explain the laws of this type of slaughter.

If the animal can be subdued - either because it is domesticated or a wild animal which humans can overpower - then it is

[10] Tafsîr Qurtubi (vol. 6, pg. 52-3)

necessary to make the blood flow by cutting the vessels. This is supported by the following narrations:

عن رافع بن خديج رضي الله عنه في حديث طويل أن جده سأل رسول الله صلى الله عليه و سلم أفنذبح بالقصب فقال رسول الله صلى الله عليه و سلم ما أنهر الدم و ذكر اسم الله فكل

1. Râfi' Ibn Khadîj ﷺ narrates in a long hâdîth that his grandfather asked Rasûlullâh ﷺ, "Can we slaughter using a bamboo?" Rasûlullâh ﷺ replied, "Eat from those animals whose blood was drained and upon whom the name of Allâh was recited." [11]

This question was regarding the word *'dhabah'*, and according to A'tâ Ibn Abî Rabâh, *'dhabah'* is to cut the vessels.[12] Both the question and answer of this Hadîth establish that the method of slaughter recognized by Islâm is to cut the vessels, thereby causing the blood to flow.

عن ابن عباس و أبي هريرة رضي الله عنهما قالا نهى رسول الله صلى الله عليه و سلم عن شريطة الشيطان و هي التي تذبح فيقطع الجلد و لا تفرى الأوداج (ثم) تترك حتى تموت

2. Ibn Abbâs and Abu Hurayrah ﷺ narrate that Rasûlullâh ﷺ told us to avoid the *sharitah* of Satan, i.e. an animal slaughtered, cut only to the extent of the skin, and left to die without cutting the vessels."[13] Ibn Al-Athîr says that a *sharitah*

[11] Sahîh Bukhâri (5497)

[12] Imâm Bukhâri has quoted this statement of At'a without a chain of narrators (24)

[13] Imâm Abû Dâwûd has narrated this hadîth and has not commented on the chain of narrators. A person called A'mr Ibn Abdullah Al-Aswâr is one of

is a female camel or another type of animal that is slightly pierced in the throat, similar to the process of cupping. The vessels are not cut and neither is the blood drained out. This practice was common during the days of ignorance before Islâm. The Arabs would cut a small part of the throat and would consider it to be a valid method of slaughter. The reason for attributing this type of slaughter to Satan is that Satan is the one who motivates them do so.[14]

عن عدي بن حاتم رضي الله عنه قال قلت يا رسول الله إن أحدنا أصاب صيدا و ليس معه سكين أيذبح بالمروة و شقة العصا قال أمرر الدم بما شئت واذكر اسم الله عز و جل

3. A'diy Ibn Hâtim ؓ narrates that he said, "O Rasûlullâh, one of us shoots an animal (while hunting) and does not have a knife with him. Should he slaughter the animal with a flint or a piece of a stick?" Rasûlullâh ﷺ answered, "Make the blood flow with the instrument of your choice and recite the name of Allâh."[15] Imâm An-Nasa'î has narrated this Hadîth with the following words, "I send my dog and it attacks an animal. I do not find a knife to slaughter the animal, therefore I slaughter it using a flint or a piece of stick." Rasûlullâh ﷺ said, "Make the blood flow with the instrument of your choice and recite the name of Allâh." [16]

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the narrators of this hadîth, also known as A'mar Ibn Barq. Hâfiz ibn Hajar has described him in At-Taqrîb as being an honest person and having slight weakness in him (in narrating hadîth) .

[14] Jâmiu'l Usûl (vol. 4, pg. 483)

[15] Imâm Abû Dâwûd has narrated this hadîth, and both he and Mundhirî have not commented on the chain of narrators of this hadîth.

[16] An-Nasa'î (4401) One of the narrators of this hadîth is Murayy ibn Qatariy Al-Kûfi. Ibn Hibbân has considered him to be an authentic narrator, while

عن عبد الله بن عباس رضي الله عنهما أنه قال ما فري الاوداج فكله

4. Abdullah Ibn Abbâs ﷺ says, "Eat an animal whose vessels are cut."[17] On the basis of this Hadîth and others, the scholars of Fiqh have made it a condition that the veins of an animal be cut in order for the slaughter to be valid. These veins are located in the neck of the animal and they are in essence two. Ibn Manzûr narrates from Ibn Sayyidi that this refers to the two jugular veins[18] connecting the head to the upper chest.[19] However, some scholars of Fiqh have taken a more general meaning of this word and have also included the windpipe and the esophagus. Kâsâni says, "The vessels[20] are four; the windpipe, esophagus, and the two jugular veins in between."[21] The windpipe is the passage for air and the esophagus is the passage for food. The scholars are unanimous that it is best to cut all four (the two jugular veins, esophagus, and windpipe).[22] However, there is a difference of opinion regarding the permissibility of cutting less than four.

Ad-Dhahabi has said that he is unknown. (Tahdhîb At-Tahdhîb, vol. 1, pg. 99)

[17] Imâm Mâlik has narrated this hadîth in his Muattâ without a chain of narrators (vol. 2, pg. 489)

[18] Technically, an animal does not have two jugular veins, but it has two major blood vessels. One of them is the jugular vein and the other is the carotid artery. However, keeping in mind the original Arabic word which was used, we will simply refer to these two as the 'two jugular veins.'

[19] Lisânul A'rab (vol. 2, pg. 387)

[20] The Arabic word, *Awdâj*, can be translated both as veins and vessels. Therefore, when the general meaning is implied encompassing all four (the two jugular veins, esophagus, and windpipe), then we will use the term 'vessels.'

[21] Badâi' As-Sanâi'(vol. 5, pg. 41)

[22] Al-Mughnî (vol. 11, pg. 45)

Imâm Shâfi'î requires that the esophagus and the windpipe of the animal be cut. Thus, the slaughter will be valid when these two are cut, even if the two jugular veins are not cut.[23]

There are various views narrated from Imâm Mâlik, and the preferred view according to his followers is that the windpipe and the two jugular veins must be cut, which means that it is not necessary to cut the esophagus according to him.[24]

Similarly, there are also various views narrated from Imâm Ahmad. In one narration, his view is the same as Imâm Shâfi'î. According to another narration, it is necessary to cut the two jugular veins along with the esophagus and the windpipe. In other words, it seems that he has required that all four vessels be cut. [25]

Imâm Abû Hanîfa holds the view that the animal will become lawful to consume when any three are cut. Abû Yûsuf requires that the esophagus and the windpipe be cut, along with one of the jugular veins. According to Imâm Muhammad, the major part of each of the four must be cut.[26]

Although the scholars of Fiqh have differed with regards to the technicalities of slaughter, they all agree that the place of slaughter during normal circumstances [excluding hunting] is the upper part of the chest and throat. They are also unanimous on the fact that at least two of the four must be cut in order for the animal to become lawful to consume. It is also clear that the

[23] Fathul Bârî (vol. 9, pg. 641) and Al-Umm(vol. 2, pg 259)
[24] Adh-Dhakhîrah (vol. 4, pg. 133)
[25] Al-Mugnî (vol. 11, pg. 44-45)
[26] Badâi' As- Sanâi' (vol. 5, pg. 41)

view of those scholars who require that at least one of the two jugular veins between the esophagus and the windpipe be cut is more preferred because the blood will only completely be drained when one of these two jugular veins is cut.

Qarâfiy says, "This view (that it is necessary to cut one of two jugular veins) is supported by the Hadîth of Rasûlullâh ﷺ, 'Eat from the meat of those animals whose blood was drained and upon whom the name of Allâh was recited' because the blood will only flow completely from these jugular veins."[27]

The word used in this Hadîth to signify 'flowing' in its origin refers to vastness and expansiveness. It is for this reason that the Arabic term for 'river' is also derived from this word because of its vastness, and similarly the term for 'day' is also derived from it because of the vastness of light found in it.

The logic behind Imâm Abû Hanîfah's view is that cutting three is equivalent to cutting all four because the majority suffices for the whole in those matters of Islâmic law which are based on the principle of leniency. The slaughter of animals is based on leniency because the scholars have unanimously agreed that all four do not have to be cut. They have only differed with regards to the particular combination of the four (as stated above). Thus, cutting the majority will be equivalent to cutting them all.[28]

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[27] Adh-Dhakhîrah (vol. 4, pg. 133)
[28] Badâi' As-Sanâi (vol. 5, pg. 42)

Chapter 3: The Instrument Used To Slaughter

The scholars are unanimous that the instrument used to slaughter must be sharp and able to cut with its sharpness rather than its weight in order for the slaughter to be correct. It is therefore not necessary that the instrument be a knife; the slaughter will be valid using any sharp instrument, irrespective of whether it is made from iron, rock, or wood. The proof for this is the following Hadîth of Sahîh Bukhâri and Muslim:

عن رافع بن خديج رضي الله عنه قال قلت يا رسول الله إنا لاقوا العدو غدا و ليس معنا مدي أفنذبح بالقصب قال ما أنهر الدم و ذكر اسم الله عليه فكلوه ليس السن و الظفر

Translation: Rafi' Ibn Khadîj ﷺ narrates that he said, "O Rasûlullâh, we will confront the enemy tomorrow, whereas we do not have any swords. Can we slaughter using a bamboo?" Rasûlullâh ﷺ replied, "Eat from that animal whose blood was made to flow and upon whom the name of Allâh was recited, [on the condition that the instrument used] is not a tooth or claw."[29]

Similarly, we have already mentioned the Hadîth of A'diy Ibn Hâtim ﷺ wherein he asked Rasûlullâh ﷺ regarding (the validity of) slaughtering using a flint and a piece of rod. Rasûlullâh ﷺ answered, "Make the blood flow with the instrument of your choice." However, the scholars are unanimous that an instrument which cuts and tears must be used for the slaughter, and this instrument must be sharp.

[29] Jami'l Uṣûl (vol. 4, pg. 489)

There is a difference of opinion regarding the usage of teeth and claws to slaughter. The scholars of the Arabian Peninsula have regarded such a slaughter to be invalid, irrespective of whether the tooth or claw is attached to the body or not. Their view is based on the general nature of the Hadîth mentioned above in which Rasûlullâh ﷺ excluded teeth and claws. Abû Hanîfa has interpreted this prohibition as referring to that tooth and claw which is attached to the body because the animal in this case will be killed by strangling. Therefore, Abû Hanifâ's view is that the slaughter will be valid if the tooth and claw is detached from the animal, but such a practice, although permissible, will be *makrûh* (disliked).

Chapter 4: Slaughtering An Animal Without Cutting The Vessels

The scholars are unanimous on the fact that the meat of an animal which can be subdued is unlawful to consume if it is killed without cutting the vessels. Allâh ﷻ says in this regard,

حرمت عليكم الميتة و الدم و لحم الخنـــزير و ما أهل لغير الله به و المنخنقة و الموقوذة و المتردية
و النطيحة و ما أكل السبع إلا ما ذكيتم

Translation: "Prohibited for you are dead animals (animals which died without being slaughtered), blood, the flesh of pigs, and that which has been dedicated to others than Allâh, and [those animals] killed by strangling, or by a violent blow, or by a headlong fall, or by the piercing of a horn, or those from

which a wild animal has eaten, except what you [are able] to slaughter [before its death]."[30]

Ibn Kathîr writes in the commentary of this verse that 'animals killed by strangling' includes those animals which are strangled to death intentionally and accidentally. An animal can accidentally strangle itself to death by moving around in the chains in which it is bound, thereby choking itself. The meat of such an animal is unlawful to consume.

An animal 'killed by a violent blow" is an animal which has been hit with a heavy, blunt object until it dies. According to Ibn Abbâs ﷺ, this refers to an animal that is beaten with a wooden stick until one of the blows becomes fatal and it dies. Qatâdah says that people used to hit animals with sticks during the days of ignorance (before Islâm) and they would eat them after they died.

أن عدي بن حاتم قال قلت يا رسول الله إني أرمي بالمعراض الصيد قال إذا رميت بالمعراض فخرق فكله و إن أصاب بعرضه فإنما هو وقيذ فلا تأكله

It is narrated that A'diy Ibn Hâtim ﷺ said, "O Rasûlullâh, I hunt animals using a *mi'râdh*[31] and I shoot the animals with it. " Rasûlullâh ﷺ answered, "If the *mi'radh* which you shoot

[30] Qurân (5:3)

[31] A *mi'râdh* is an arrow which does not have a blade or feather. Such an arrow strikes the animal with its thick middle part and not with its straight, sharp edge. The edges of this arrow are thin and the center is thick, similar to those sticks which are used to grind cotton. When a person shoots this arrow, it goes straight and strikes the animal with its thick middle part and not with its edge. If it is shot from a close distance, it will hit the animal with its edge and wound it.

pierces and tears the flesh of the animal, then you can eat from it. However, if the thick middle part of the arrow strikes the animal, then this will be an animal killed by a violent blow and you should not eat from this animal."[32] Rasûlullâh ﷺ has differentiated between the those animals which are hit by the sharp edge of an arrow or javelin and those animals which are hit by the broad-side of an arrow; he has declared the first category to be lawful and has declared the second as being an animal which was 'killed by a violent blow,' making it unlawful. All the scholars of Fiqh have agreed on this point.

The animal which dies due to 'a headlong fall' is an animal which falls from a high mountain or from another high place and dies as a result of this fall. Alî Ibn Abî Talhâ ﵁ narrates on the authority of Ibn Abbâs ﵁ that the animal which dies due to 'a headlong fall' is an animal which falls from a mountain. Qatâdah holds the view that it is an animal which falls in a well. As-Suddy holds the view that this includes both the animal which falls from a mountain and the animal which falls in a well.

The 'animal killed by the piercing of a horn' refers to when an animal dies from a blow caused by the horn of another animal. The meat of this animal is unlawful to consume even if the horn of the other animal pierces it and causes blood to flow, and even if this wound is on the throat.

'Those from which a wild animal has eaten' refers to an animal which was attacked by a lion, cheetah, wolf, or dog. Thereafter, this predator ate part of the animal and it died as a result of this

[32] This hadîth is narrated in the Sahîh Sittah (6 authentic books of ahâdîth) by various Sahâba and with various chains of narrators.

wound. The scholars are unanimous on the fact that this animal is unlawful to consume even if blood flowed out from the animal, and even if this blood flowed from the throat. During the days of ignorance (before Islâm), people used to eat from goats, camels, cows, and other animals which had been partly eaten by wild animals. As a result of this, Allâh made this animal unlawful for the believers to consume.

The last part of the verse 'except what you [are able] to slaughter [before its death]' refers to the situation when an animal has been dealt a fatal blow and is on the brink of death, but there is still enduring life left in which it can be slaughtered according to Islâmic law. From all the animals mentioned above which are on the verge of death, this last part of the verse will only apply to.animals which are 'killed by strangling, or by a violent blow, or by a headlong fall, or by the piercing of a horn, or those from which a wild animal has eaten.' A'li Ibn Abi Talhâ narrates on the authority of Ibn Abbâs ﷺ that the meaning of the verse, 'except what you [are able] to slaughter [before its death]' is that it is lawful to eat from the animals mentioned in this verse if you are able to slaughter them according to Islâmic law while there is still life left in them. This view is also narrated from Saî'd Ibn Jubayr, Al-Hasan Al-Basry, and As-Suddy ﷺ.

This verse of the Qurân clearly shows that an animal will only become lawful to consume when it is slaughtered according to Islâmic law, and an animal will be unlawful to consume if it is strangled or dealt a violent blow. An animal will not become lawful simply by its blood flowing out of the body because an animal which is hit by the horns of another animal will also sometimes bleed from its throat, and similarly, an animal which is partially eaten by a wild animal will also sometimes bleed

from its throat. However, Allâh has clearly stated that both these animals are unlawful, meaning that it is not enough simply for blood to flow out of the animal in order for the slaughter to be valid. Rather it is necessary that the blood flow out according to that method of slaughter which Allâh has prescribed.

Chapter 5: Reciting The Name Of Allâh At The Time Of Slaughter

The majority of the scholars of Fiqh hold the view that the slaughterer must recite the name of Allâh at the time of slaughter. According to Imâm Abu Hanîfâ, Imâm Ahmad, Imâm Mâlik, and the majority of the scholars of Fiqh, an animal is unlawful to consume if the slaughterer intentionally does not recite the name of Allâh. However, the animal will be lawful to consume if he forgets to recite the name of Allâh according to the followers of Imâm Abû Hanîfâ and Imâm Mâlik. They apply this same ruling for both, namely animals slaughtered under normal circumstances and hunted animals, and they do not differentiate between the two. The followers of Imâm Ahmad also consider the meat of an animal upon which the name of Allâh was not recited out of forgetfulness as being lawful under normal circumstances. However, they hold the view that a hunted animal will be unlawful to consume if the slaughterer does not recite the name of Allâh when he shoots the arrow or releases the hunting-dog, irrespective of whether he does this intentionally or forgetfully.[33]

[33] For the Hanafî view, see Badâi' As-Sanâi' (vol. 5, pg. 46). For the Mâliki view, refer to Ad-Dhakhîrah (vol. 4, pg. 134) and As-Sâwî a'lâ Ad-Dardîr. For the Hanbalî view, see Al-Mugnî (vol. 11. pg. 4)

The famous view of Imâm Shâfi'î is that it is not obligatory to recite the name of Allâh at the time of slaughter, but it is Sunnah (something practiced upon by Rasûlullâh ﷺ).[34] Therefore, an animal is lawful to consume if the slaughterer intentionally omits the name of Allâh. However, it becomes clear after referring to Imâm Shâfi'î's book, Al-Umm, that he has not explicitly stated that it is lawful to consume an animal upon which the name of Allâh was intentionally not recited. He has only said that an animal is lawful to consume if the slaughterer does not recite the name of Allâh forgetfully. His words are:

"I would like that a Muslim recite the name of Allâh when he sends his trained bird or dog (to hunt). If he forgets to recite the name of Allâh and the bird or dog kills an animal, then it will lawful to consume. This is because the slaughter which takes place using a trained dog or bird is just like a normal slaughter. In a normal slaughter, an animal is lawful to consume when the slaughterer forgetfully leaves out the name of Allâh. The reason for this is that a Muslim slaughters on the name of Allâh, i.e. in his heart, even if he forgets."[35]

Thereafter, Imâm Shâfi'î has stated that it is not permissible to eat the meat of an animal upon which the slaughterer did not recite the name of Allâh because he did not consider it to be important. His accepted view on this is as follows:

"An animal is lawful if a Muslim forgets to recite the name of Allâh at the time of slaughter. The animal is unlawful if he does

[34] Qulûbi wa U'mayrah (vol. 4. pg. 245)
[35] Al-Umm (vol. 2, pg. 227)

not recite the name of Allâh because he does not consider it to be important."[36]

Some scholars have said that there is a consensus of the scholars of Fiqh on this issue. The author of Tafsîr Mazhari has quoted the following passage from Sharh Al-Muqaddamah Al-Mâlikiyah:

"All the aforementioned relates to a Muslim who does not omit the name of Allâh because of his considering it to be unimportant. As for omitting the name of Allâh because of his considering it to be unimportant, there is no difference of opinion on such an animal being unlawful. This is the view of Ibn Al-Hârith and Al-Bashîr. The meaning of 'not considering it to be important' is that the Muslim slaughterer has repeatedly left out the name of Allâh. Allâh knows best."[37]

These passages show that Imâm Shâfi'î does not hold the view that every animal upon which the name of Allâh was intentionally left out is generally lawful to consume. His view is that an animal will only be forbidden to consume if the slaughterer leaves out the name of Allâh because he does not consider it to be important and he had made this his habit. This means that according to him, it is only permissible for the slaughterer to leave out the name of Allâh intentionally when he does so by chance coincidentally (on one or two occasions) and not because of him considering it to be unimportant. Even in this situation, this will be m*akruh* (disliked) according to Imâm Shâfi'î because he has said, "I would like that he recite the name of Allâh." The scholars of Shâfi'î Fiqh have clearly

[36] Al-Umm (vol. 2, pg. 131)
[37] Tafsîr Mazhari (vol. 3, pg. 318)

said that it is *makruh* (disliked) to intentionally leave out the name of Allâh at the time of slaughter and that the slaughterer will be sinful for doing so.[38]

It becomes clear from this that an animal upon whom the name of Allâh was intentionally left out is unlawful to consume according to the followers of Imâm Abû Hanîfa, Imâm Mâlik, and Imâm Ahmad. Such an animal is also unlawful according to Imâm Shâfi'î when the slaughterer leaves out the name of Allâh because he does not consider it to be important and he has made this his habit. If a person intentionally leaves out the name of Allâh coincidentally, then this animal will still be lawful according to Imâm Shâfi'î, but it will be makruh (disliked). Then too, Imâm Shâfi'î's view is not strongly supported by the verses of the Qurân and the Ahâdîth because they clearly establish that reciting the name of Allâh is an essential condition for the validity of the slaughter. Allâh says,

و لا تأكلوا مما لم يذكر اسم الله عليه و إنه لفسق

"Do not eat of that upon which the name of Allâh has not been mentioned, for indeed, it is grave disobedience."[39]

Can there be any other text which is clearer than this verse of the Qurân in unambiguously declaring an animal upon which the name of Allâh has been left out as being unlawful? There is a clear prohibition in this verse to abstain from such meat, and a prohibition [in Islâmic law] demands that the prohibited act be unlawful. Allâh did not suffice by just using a prohibition,

[38] See Rawdhatu At-Tâlibîn (vol. 3, pg. 205) and Rahmatu Al-Ummah (pg. 118)

[39] (6:121)

but He has further stated that eating from this meat "is a grave disobedience." This removes all doubts which a person may have in this regard. This is not the only verse in the Qurân which proves that it is necessary to recite of the name of Allâh in order for the slaughter to be valid. There are many others. Some of these verses are mentioned below:

يسألونك ماذا أحل لهم قل أحل لك الطيبت و ما علمتم من الجوارح مكلبين تعلمونـــهن مما علمكم الله فكلوا مما أمسكن عليكم واذكر اسم الله عليه

1. "They ask you [O Muhammad ﷺ) what has been made lawful for them. Say, 'Lawful for you are [all] good foods and [game caught by] what you have trained of hunting animals which you train as Allâh has taught you. So eat of what they catch for you, and mention the name of Allâh upon it, and fear Allâh.'[40]

و لكل أمة جعلنا منسكا ليذكروا اسم الله على ما رزقهم من بهيمة الأنعام

2. "For every nation We have appointed a rite [of sacrifice] that they may mention the name of Allâh over the beast of cattle that He has given them for food."[41]

فاذكروا اسم الله عليها صواف

3. "So mention the name of Allâh upon them when lined up [for sacrifice]."[42]

و أنعام لا يذكرون اسم الله عليها افتراء عليه

[40] (5:4)
[41] (22:34)
[42] (22:36)

4. "And cattle on which the name of Allâh is not mentioned [at the time of slaughter] – [all of this is] an invention of untruth about Him."[43]

و ما لكم ألا تأكلوا مما ذكرا اسم الله عليه

5. "And why should you not eat of that upon which the name of Allâh has been mentioned [at the time of slaughtering]. . .?"[44]

These verses use different modes of expression and style to establish that reciting the name of Allâh at the time of slaughter is one of the most important requirements for the validity of the slaughter. Allâh did not suffice by just mentioning this essential requirement in one or two verses, but He has cited it repeatedly while discussing the slaughtering, hunting, and sacrificing of animals. He has very severely rebuked those people who do not recite the name of Allâh while slaughtering and has called it ' an invention of untruth about Him.' He has also reprimanded those people who do not consider the animals upon which the name of Allâh has been recited at the time of slaughter as being lawful. All this proves that reciting the name of Allâh is one of the most important conditions for the validity of the slaughter in Islâmic law. In the same way, there are many Ahâdîth in which Rasûlullâh ﷺ has made the recitation of the name of Allâh an essential condition for the validity of the slaughter under normal circumstances and for hunting. Some of these Ahâdîth are mentioned below:

[43] (6:138)
[44] (6:119)

عن رافع بن خديج رضي الله عنه قال قال رسول الله صلى الله عليه و سلم ما أنهر الدم و ذكر اسم الله عليه فكل

1. Râfi' Ibn Khadîj ‌ narrates that Rasûlullâh ‌ said, "Eat from those animals whose blood was made to flow and upon whom the name of Allâh was recited."[45]

عن عبد الله بن عمر رضي الله عنه عن رسول الله صلى الله عليه و سلم أنه لقي زيد بن عمرو بن نفيل بأسفل بلدح و ذاك قبل أن ينـــزل علي رسول الله صلى الله عليه و سلم الوحي فقدمت إلى النبي صلى الله عليه و سلم سفرة فأبى أن يأكل منها ثم قال زيد إني لست آكل مما تذبحون على أنصابكم و لا آكل إلا ما ذكر اسم الله عليه

2. Abdullah ibn U'mar narrates that Rasûlullâh met Zayd Ibn A'mr Ibn Nufayl in the lower part of Baldah (a place near Tanî'm outside of Makkah) and this was before Rasûlullâh had received revelation. A tablecloth (containing some food) was presented to Rasûlullâh and he refused to eat from it. Thereafter, Zayd said, "I will not eat the meat of those animals which you have slaughtered on the name of your idols. I will only eat the meat of those animals upon which the name of Allâh has been mentioned."[46]

This Hadîth shows that it was also unlawful to consume an animal upon which the name of Allâh was not recited in the religious law of Ibrâhîm (i.e. the Arabs were still practicing on some of the aspects of the religion of Ibrâhim and Zayd

[45]Sahîh Bukhâri (5498)
[46] Sahîh Bukhâri (382, 5499)

refused to eat from this meat because it was unlawful according to the religious law of Ibrâhim ﷺ)

عن جندب بن سفيان البجلي رضي الله عنه قال ضحينا مع رسول الله صلى الله عليه و سلم أضحاة ذات يوم فإذا أناس قد ذبحوا ضحاياهم قبل الصلاة فلما انصرف رآهم النبي صلى الله عليه و سلم أنهم ذبحوا قبل الصلاة فقال من ذبح قبل الصلاة فليذبح مكانها أخرى و من كان لم يذبح حتى صلينا فليذبح على اسم الله

3. Jundub Ibn Sufyân Al-Bajaliyy ﷺ narrates that we sacrificed some animals one day (for Eid Al-Adhâ) with Rasûlullâh ﷺ. Unexpectedly, some people had slaughtered their animals before the Eid *Salâh*. When Rasûlullâh ﷺ turned around, he noticed that they had slaughtered their animals before the *Salâh*. He said to them, "Whoever slaughtered before *Salâh* should sacrifice another animal in the place of the first one. Whoever has not sacrificed their animal until now should slaughter their animal on the name of Allâh."[47]

عن عباية بن رفاعة عن جده أن النبي صلى الله عليه و سلم قال ما أهر الدم و ذكر اسم الله عليه فكل

4. A'bayah Ibn Rifâ'h narrates from his grandfather ﷺ that Rasûlullâh ﷺ said, "Eat from that animal whose blood has been made to flow and upon which the name of Allâh was mentioned."[48]

[47] Sahîh Bukhâri (5500)
[48] Sahîh Bukhâri (5503)

عن ثعلبة الخشني رضي الله عنه أنه سأل رسول الله صلى الله عليه و سلم أسئلة فأجاب رسول الله صلى الله عليه و سلم عن سواله في الصيد فقال فما صدت بقوسك فاذكر اسم الله و كل و ما صدت بكلبك المعلم فاذكر اسم الله عليه و كل

5. Abû Tha'labah Al-Khushaniyy ☙ narrates that he asked Rasûlullâh ﷺ some questions. Rasûlullâh ﷺ said in reply to his question regarding hunted animals, "Recite the name of Allâh on the animal which you have hunted with your bow and eat from it. Recite the name of Allâh on that animal which you hunted using your trained dog and eat from it."[49]

عن عدي بن حاتم رضي الله عنه قال أن رسول الله صلى الله عليه و سلم قال إذا أرسلت كلابك المعلمة وذكرت اسم الله فكل مما أمسكن عليك

6. A'diy Ibn Hâtim ☙ narrates that Rasûlullâh ﷺ said, "When you send your trained dog and recite the name of Allâh, then eat from that which it catches for you and does not itself consume."[50]

عن عدي بن حاتم قال قلت يا رسول الله إني أرسل كلبي أجد معه كلبا آخر لا أدري أيهما أخذه فقال لا تأكله فإنما سميت على كلبك و لم تسم على غيره

7. A'diy Ibn Hâtim ☙ narrates that he said, "O Rasûlullâh, I send my dog and I find another dog with him. I do not know which of the two dogs caught the animal." Rasûlullâh ﷺ said to

[49]Sahîh Bukhâri (5496)
[50]Sahîh Bukhâri (5487)

him, "Don't eat from this animal because you recited the name of Allâh on your animal and you did not recite the name of Allâh on the other animal."[51]

و عنه رضي الله عنه مرفوعا و إذا خالط كلابا لم يذكر اسم الله عليها فأمسكن فقتلن فلا تأكل

8. A'diy Ibn Hâtim ﷺ narrates that Rasûlullâh ﷺ said, "When there are some (hunting) dogs on which the name of Allâh was pronounced (while sending them) and they join with some other dogs to kill an animal without themselves eating from it, then do not eat from this flesh."[52]

و عنه رضي الله عنه قال قلت يا رسول الله إن أحدنا أصاب صيدا و ليس معه سكين أيذبح بالمروة و شقة العصا قال أمرر الدم بما شئت واذكر اسم الله عز و جل

9. A'diy Ibn Hâtim ﷺ narrates that he said, "O Rasûlullâh, one of us shoots an animal [while hunting] and he does not have a knife with him. Should he slaughter the animal with a flint or a piece of a stick?" Rasûlullâh ﷺ answered, "Make the blood flow with whatever (sharp) instrument you desire and recite the name of Allâh."[53]

These texts of the Qurân and ahâdîth emphasize the importance of reciting the name of Allâh at the time of slaughter. Just one of these texts would have been sufficient to prove that reciting the name of Allâh is a condition for the validity of the slaughter. However, Allâh and Rasûlullâh ﷺ did not explain

[51] Sahîh Bukhâri (5486)
[52] Sahîh Bukhâri (5484)
[53] Abû Dâwûd (2824), Nasa'î (4401)

this law only once. Instead, they repeatedly mentioned it on different occasions using different modes of expression in order to emphasize the utmost importance of reciting the name of Allâh and to establish that it is an absolutely essential condition for the validity of a slaughter in Islâmic law.

The only situation in which a person is exempted from the requirement of reciting the name of Allâh is during the state of forgetfulness. Jassâs says, "The verse, 'And do not eat from that upon which the name of Allâh has not been mentioned' proves that leaving out the name of Allâh forgetfully does not affect the validity of the slaughter. The command in this verse applies to a person who intentionally leaves out the name of Allâh and does not apply to a person who forgetfully leaves it out. The logic behind this is that Allâh has described leaving out the name of Allâh intentionally in this verse as 'grave disobedience,' and this cannot apply to a person who leaves out the name of Allâh forgetfully because he will not be obligated to recite the name of Allâh in his state of forgetfulness.

و روى الاوزاعي عن عطاء بن ابي رباح عن عبيد بن عمير عن عبد الله بن عباس قال قال رسول الله صلى الله عليه و سلم تجاوز الله عن أمتي الخطأ و النسيان و ما استكرهوا عليه

Al-Awzâi'y narrates from Ata' Ibn Abî Rabâh who narrates from Abdullah Ibn Abbâs ﷺ who narrates that Rasûlullâh ﷺ said, "Allâh ﷻ has overlooked the mistakes and forgetfulness of my Ummah (nation), and he has overlooked those actions which they did under duress."[54] Such a person will have carried

[54] Translator's note: Ibn Mâjah has narrated this hadîth with the same words (2043), and An-Nawawi has declared this hadîth to be hasan in his collection of forty hadîth (#39).

out the slaughter as he was commanded to do because a person who forgets is not obligated to recite the name of Allâh.

Thus, the validity of the slaughter in this case will not be affected by leaving out the name of Allâh, and it is not permissible to make him slaughter another animal in its place. This is not the same as leaving out the *takbîr* (saying Allâhu Akbar to enter into *Salâh*) or forgetting to make *Wudhû* (ablution, i.e. the external purification which is required for *Salâh*) because in this case it is possible to make him perform another *Salâh* in its place after he remembers. However, it is not possible to make him slaughter another animal if he leaves out the name of Allâh forgetfully because the legal character of the act has already passed."[55]

This point is also supported by a Hadîth of Ad-Darequtni and Al-Bayhaqi:

أن النبي صلى الله عليه و سلم قال المسلم يكفيه اسمه فأن نسي أن يسمي حين يذبح فليسم وليذكر اسم الله ثم ليأكل

Ibn Abbâs ﷺ narrates that Rasûlullâh ﷺ said, "A person's being Muslim will suffice him (from reciting the name of Allâh). If he forgets to recite the name of Allâh when he slaughters, he should recite the name of Allâh and eat [the animal]."[56]

[55] Ahkâm Al-Qurân by Jassâs (3: 7, 8)

[56] Nasb Ar-Râyah (vol. 2, pg. 26) / Hâfiz ibn Hajar has quoted this hadîth in his book, At-Talkhîs, and thereafter said, "Ibn As-Sakn has declared this hadîth to be sahîh (authentic). Some scholars of hadîth have found weakness in this hadîth because of Ma'qal ibn Abdullah and Muhammad ibn Yazîd ibn Sinân. However, Imâm Muslim has included the narrations of Ma'qal ibn Abdullah in Sahîh Muslim. Muhammad ibn Yazîd ibn Sinân has been

أخرج عبد ابن حميد عن راشد بن سعد مرسلا أن النبي صلى الله عليه و سلم قال ذبيحة المسلم حلال سمى أو لم يسم ما لم يتعمد و الصيد كذلك

A'bd Ibn Humayd has quoted a narration in his book on the authority of Râshid Ibn Sa'd[57] that Rasûlullâh ﷺ said, "The animal which a Muslim slaughters will become lawful irrespective whether he recites the name of Allâh or not, as long as he does not intentionally leave it out. This same law also applies to hunted animals."[58] These narrations of Rasûlullâh ﷺ are also supported by a narration of Ibn Abbâs ﷺ which Imâm Bukhâri has mentioned.

عن ابن عباس رضي الله عنهما موقوفا قال من نسي فلا بأس

"There is no harm in forgetfully leaving out the name of Allâh."[59]

The proofs that the followers of Imâm Shâfi'î use to establish that it is not necessary to recite the name of Allâh at the time of slaughter are not as strong as the proofs which establish that it is necessary. For example, some of followers of Imâm Shâfi'î

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declared to be reliable by Ibn Hibbân, An-Nufayli, and Maslamah. (See I'lâ As-Sunan, vol. 17, pg. 68 for more details regarding the chain of narrators)

[57] This is a mursal hadîth which means that the final narrator of the hadîth has been omitted.

[58] Durr Al-Manthûr (vol. 3, pg. 42)

[59] Imâm Bukhâri has mentioned this narration while omitting the chain of narrators. Ad-Dârequtni, Saî'd ibn Mansûr, and others have mentioned a complete chain of narrators for this hadîth up to Rasûlullâh ﷺ. Thereafter, Hâfiz ibn Hajar has said that the chain of narrators are sahîh. (authentic). (Fathul Bâri - vol. 9, pg. 624)

say that Allâh ﷻ did not attach the condition of reciting the name of Allâh to the verse, 'except that which you slaughtered,' so there is no need to do so.

The answer to this is clear; the word 'slaughter' has a specific meaning in Islâmic law and the proofs which we gave above show that the slaughter will not be valid unless the name of Allâh is recited. Therefore, the recitation of the name of Allâh is implied in the meaning of 'slaughter,' and so is the cutting of the vessels. Allâh ﷻ has described 'slaughter' as a general concept which includes all the requirements of slaughter which are established by other verses of the Qurân and ahâdîth. Therefore, the requirement of reciting the name of Allâh falls within the ambit of the verse, "except that which you slaughtered."

In the same way, the followers of Imâm Shâfi'î also try to prove their view using the Hadîth of Â'isha رضي الله عنها.

عن عائشة رضي الله عنها أن قوما قالوا للنبي صلى الله عليه و سلم إن قوما يأتوننا بلحم لا ندري أذكر اسم الله عليه أم لا فقال سموا عليه أنتم و كلوه قالت و كانوا حديثي عهد بالكفر

Â'isha رضي الله عنها narrates that a group of people said to Rasûlullâh ﷺ, "Some people bring us meat and we do not know if they recite the name of Allâh upon it (during the slaughter)." Rasûlullâh ﷺ answered, "You should recite the name of Allâh upon the meat and eat from it." Â'isha رضي الله عنها thereafter comments that these people (who had brought the meat) had recently accepted Islâm.[60]

[60] Sahîh Bukhâri (5507)

However, this Hadîth does not prove that it is permissible to consume an animal on which we know with certainty that the slaughterer did not recite the name of Allâh. This Hadîth only proves that we will assume that the actions of a Muslim are correct. This means that if a Muslim presents some meat or food to us, we will assume that this meat was slaughtered according to Islâmic law. Because of the fact that we are commanded to think good of every Muslim, it is not necessary for us to investigate how the animal was slaughtered unless it becomes clear to us that this animal was not slaughtered according to Islâmic law.

We can also deduce from this Hadîth that the people regarding whom this question was asked were in fact Muslims, even though they had just recently accepted Islâm as Â'isha ﷺ had mentioned. Rasûlullâh ﷺ commanded us to pass judgment on the actions of these people based on their outward condition, i.e. to assume that they did recite the name of Allâh while slaughtering this meat. This Hadîth does not mean that it is permissible to consume the meat of an animal when we know with certainty that the slaughterer intentionally did not recite the name of Allâh.

This Hadîth also clearly shows that this question was only regarding that situation when it is not known with certainty whether the Muslim slaughterer recited the name of Allâh or not. This is the same situation facing many Muslims who buy meat from Muslim stores because we were not physically present to see whether the slaughterers recited the name of Allâh or not. This Hadîth has given us the ruling for such a situation. How can this situation be compared to that where the slaughterer intentionally leaves out the name of Allâh?

Some followers of Imâm Shâfi'î quote a Hadîth narrated by As-Salt As-Sadusi to support their view.

عن الصلت السدوسي مرسلا أن رسول الله صلى الله عليه و سلم قال ذبيحة المسلم حلال ذكر اسم الله أو لم يذكر إنه إن ذكر لم يذكر إلا اسم الله

Translation: Salt As-Sadusi narrates that Rasûlullâh ﷺ said, "The animal slaughtered by a Muslim is lawful irrespective of whether he takes the name of Allâh or not because if he does recite something, he will only recite the name of Allâh."[61] If it were to be established that this Hadîth is authentic,[62] then it would be possible for us to apply this Hadîth to the situation where a person forgets to recite the name of Allâh during slaughter. This interpretation keeps the Hadîth in conformity with all the verses of the Qurân and the ahâdîth which prove that reciting the name of Allâh is necessary and that intentionally leaving out the name of Allâh makes an animal unlawful.

Because of these strong proofs, some scholars who follow Imâm Shâfi'î have given preference to the view of the majority that leaving out the name of Allâh intentionally makes the animal unlawful. Hâfiz Ibn Hajar says, "Imâm Ghazâli has considered this view to be strong because of the numerous

[61] Marâsîl Abî Dâwûd (pg. 41)

[62] The narrator of this hadîth, As-Salt As-Sadûsi is a *majhûl* (unknown) narrator according to Ibn Hazm and Ibn Al-Qattân. This narrator is not known for any other hadîth besides this hadîth and only Thawr ibn Yazîd has narrated from him. (Nasb Ar-Râyah) Therefore, there is some weakness in this chain of narrators.

Translator's note: This text has been taken out from the original book and placed in the footnotes because of its technical nature.

verses of the Qurân and the Ahâdîth that require that the name of Allâh be recited under all circumstances. Those ahâdîth which imply a concession may be interpreted generally, or in a limited sense as applying only to a person who forgets. Therefore, it is better to interpret such ahâdîth as applying to that person who forgets so that all the proofs are in conformity with their clear meanings; the person who forgets to recite the name of Allâh will be excused from doing so, while the person who intentionally leaves out the name of Allâh will not be excused."[63]

After mentioning this view, Hâfiz Ibn Hajar has not said anything contrary to it. He has mentioned the passage of Imâm Ghazâli in the chapter of the animals slaughtered by the Bedouin villagers. There is an indication that he is also leaning towards the view of the majority on this issue because of the fact that he has quoted this statement of Imâm Ghazâli at the end of this discussion and since he has declared all the Ahâdîth which are used to establish that it is permissible to intentionally omit the name of Allâh as being weak.[64]

Chapter 6: The Qualifications Of the Slaughterer

One of the most important conditions for the validity of the slaughter is that the slaughterer must either be a Muslim or a person from the people of the book (Jews and Christians) who is also sane and old enough to differentiate between right and wrong. Therefore, it is not lawful to consume the meat of

[63] Fath Al-Bâri (vol. 9, pg. 624)
[64] Fath Al-Bâri (vol. 9, pg. 634)

animals which are slaughtered by disbelievers and pagans who are not from the people of the book. The scholars are unanimous on this condition, and we do not know of anyone who has gone against it. In fact, some scholars have recorded a consensus of opinion on this matter.[65] This means that the meat of animals slaughtered by disbelievers who are not of the people of the book is unlawful to consume even if they slaughter according to Islâmic law. Al-Jassâs says, "We know that the meat of the animals slaughtered by the pagans will not be lawful even if they recite the name of Allâh."[66]

Some contemporary scholars have deviated in asserting that only the meat which is slaughtered by Arab idol-worshippers is unlawful. Therefore, according to them, the meat slaughtered by all other disbelievers is lawful, irrespective of whether they are idol-worshippers, atheists, apostates, or fire-worshippers. This is an incorrect view which does not have any basis in the Qurân, ahâdîth, or from the views of the pious predecessors. They confusingly assert that there is no clear proof in the Qurân and ahâdîth which establishes that an animal slaughtered by disbelievers other than the people of the book is unlawful. They assert that that the original state of all things is permissibility. Something cannot become unlawful without a clear text.[67]

The reality is that the original position of animals is that their consumption is unlawful and that they will only become lawful as prescribed by Islâmic law. The proof for this is the Hadîth of A'diy Ibn Hâtim ﷺ which was mentioned above. He said, "O Rasûlullâh, I send my hunting dog and I find another dog with

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[65] Mawsûât Al-Ijmâa' (vol. 2, pg. 912, 948)
[66] Ahkâm Al-Qurân (vol. 3, pg. 6)
[67] Fasl Al-Khitâb fi Ibâhati Dhabâihi Ahli Al-Kitâb (pg. 19-22) written by Abdullah ibn Zayd Alu Muhammad

it. I do not know which dog killed the animal." Thereafter, Rasûlullâh ﷺ told him, "Do not eat from the animal because you only recited the name of Allâh upon your own dog and you did not recite it upon the other dog."[68] This Hadîth shows that an animal will become unlawful when there is doubt as to whether or not the slaughter took place according to Islâmic law and we cannot give preference to one possibility over the other [where both possibilities are equal]. We also learn from this Hadîth that the original position of an animal is that its consumption is unlawful because if the original position was that the consumption of an animal was lawful, then this animal (referred to in the above-mentioned Hadîth) would not have been unlawful in the case of doubt.

Thereafter, Allâh has excluded the food of the people of the book from this original state of unlawfulness in the verse:

و طعام الذين أوتوا الكتاب حل لكم

Translation: "And the food of those who were given the Scripture is lawful for you"[69] If the food of all disbelievers had been lawful, then there would have been no need to separately mention the ruling of the people of the book. The fact that the disbelievers [other than the people of the book] were not mentioned in the verse means that the original prohibition in the case of animals applies.

The correct view on which Muslims have unanimously agreed upon over the centuries is that an animal will only become lawful to consume if the slaughterer is a Muslim or from the

[68] Sahîh Bukhâri(5486)
[69] (5: 5)

people of the book. The people of the book are the Jews and the Christians. There are some digressed views that the Magians (fire-worshippers) are also people of the book based on the Hadîth of Rasûlullâh ﷺ, "Deal with them (Magians) as you deal with the people of the book."[70] However, the correct view is that this Hadîth only refers to accepting *Jizyah*[71] from them because it is in this context that this Hadîth must be interpreted.

U'mar Ibn Al-Khattâb ؓ had been uncertain of taking *Jizyah* from the Magians until A'bdur-Rahmân Ibn A'wf ؓ informed him of this Hadîth. Thereafter, he started collecting *Jizyah* from the Magians.

روى مالك في الموطأ عن محمد بن علي أن عمر بن الخطاب رضي الله عنه ذكر المجوس فقال ما لك كيف أصنع في أمرهم فقال عبد الرحمن بن عوف أشهد لسمعت رسول الله صلى الله عليه و سلم يقول سنوا بهم سنة أهل الكتاب

Imâm Mâlik has narrated in his book, Al-Muattâ on the authority of Muhammad Ibn A'li that U'mar ؓ mentioned the Magians and said, "What should I do regarding them?" Abdur-Rahmân Ibn A'wf ؓ said to him, "I bear witness that I heard Rasûlullâh ﷺ saying, 'Deal with them as you deal with the people of the book.'"[72]

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[70] Al-Muhallâ (vol. 7, pg. 456)

[71] *Jizyah* a tax which people of the book and those disbelievers who are treated as people of the book pay in order to stay in a Muslim country.

[72] Muattâ Al-Imâm Mâlik (Chapter of Zakât - Jizyah of the people of the book))

The majority of scholars hold the view that only Jews and Christians constitute the people of the book based on the following verse of the Qurân:

أو تقولوا إنما أنزل الكتاب على طائفتين من قبلنا

Translation: "(We revealed it) lest you say, 'The scripture was only sent down to two groups (Jews and Christians) before us.'"[73] They also base their view on the fact that Rasûlullâh ﷺ did not consider the Magians to be people of the book and he only made his statement, "Deal with them as you deal with the people of the book" with regards to taking *Jizyah* from them. Therefore, it is clear that the Magians are not from the people of the book and they will only be dealt with as the people of the book in the matter of *Jizyah*.

Chapter 7: The Ruling Of Meat Slaughtered By The People Of The Book

The entire Muslim nation is unanimous on the fact that the meat slaughtered by the people of the book is lawful and that they are qualified to slaughter animals in the Islâmic way. The proof for this is the verse:

و طعام الذين أوتوا الكتاب حل لكم

Translation: "And the food of those who were given the Scripture is lawful for you."[74] The scholars are also agreed on the fact that the word 'food' in this verse refers to slaughtered

[73] (6:156)
[74] (5:5)

animals. In the commentary of the verse, "And the food of those who were given the Scripture is lawful for you," Ibn Kathîr says,

"Ibn Abbâs ﷺ, Abû Umâmah ﷺ, Mujâhid, Saîd Ibn Jubayr, I'krimah, A'tâ, Al-Hasan, Makhûl, Ibrâhim An-Nakhaî', As-Suddy, and Muqâtil Ibn Hayyân ﷺ all say that this verse refers to slaughtered animals. There is a consensus of opinion amongst scholars that the animals slaughtered by the people of the book are lawful for the Muslims because they also believe that the animals which are slaughtered for false gods other than Allâh are unlawful and they only recite the name of Allâh on the animals which they slaughter despite the fact that they hold incorrect beliefs regarding Allâh." [75]

Are the same conditions which need to be fulfilled for the slaughter of Muslims to be valid - such as cutting the vessels, using a sharp instrument, and reciting the name of Allâh - also applicable to the slaughter of the people of the book? In order to answer this question, we will have to analyze the claims of some contemporary scholars who have said that the meat slaughtered by the people of the book is lawful without discussing the reasoning behind their view. We will discuss this question in two parts. The first part is whether it is necessary that the people of the book slaughter the animal according to the method shown by Islâmic law, which includes cutting the vessels and using a sharp instrument. The second part is whether it is necessary for the people of the book to recite the name of Allâh at the time of slaughter.

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[75] Tafsîr Ibn Kathîr (vol. 2, pg. 19)

With regards to the first part of this question, the majority of the scholars of Fiqh hold the view that an animal slaughtered by the people of the book will only become lawful if they cut the required number of vessels using a sharp object. This is the correct view which is supported by many proofs which we will soon mention. However, some contemporary scholars hold the view that every animal slaughtered by the people of the book is lawful irrespective of how they slaughter because the verse, "And the food of those who were given the Scripture is lawful for you" has a general connotation. They also use following quote of Qâdhî Ibn Al-A'raby to support their view:

"I was asked regarding a Christian who twists the neck of a chicken and cooks it; is it lawful to eat this meat with him or take some of this food? This was the 8th question. I answered, 'This chicken is lawful to consume because it is the food of a Christian, the food of his bishop, and the food of his monks, even if the slaughter is not valid according to us. Allâh has made their food lawful for us without any restriction. Those matters which they consider to be lawful in their religion will also be lawful for us in our religion unless if it is something which Allâh has declared to be incorrect.'"[76]

However, it is unusual for Ibn Al-A'raby to make such a statement because it contradicts a principle which he himself mentioned in the same book half a page before. This principle is as follows: "The ruling regarding those animals which the people of the book consume and are not slaughtered according to Islâmic law - for example, if the animal is strangled or if its head is broken off - is that we will consider them to have died without being slaughtered. Allah has declared such an animal to

[76] Ahkâm Al-Qurân (vol. 2, pg. 556)

be unlawful in the Qurân, and we will not eat from it even if the people of the book do eat from it. This is similar to pork, which is lawful for them and regarded as their 'food', but is unlawful for us. Allâh knows best."[77]

There is a clear contradiction between these two statements of Ibn Al-A'raby. When such a contradiction occurs, we will accept that view which conforms to the verses of Qurân and the Ahâdîth, and which has been supported by the practice of Muslims throughout the ages. We will not accept a digressed view which goes against strong and established proofs, namely:

1. Allâh says,

حرمت عليكم الميتة و الدم و لحم الخنزير و ما أهل لغير الله به و المنخنقة و الموقوذة المتردية
و النطيحة و ما أكل السبع إلا ما ذكيتم

Translation: "Prohibited to you are dead animals (animals which died without being slaughtered), blood, the flesh of pigs, and that which has been dedicated to others besides Allâh, and [those animals] killed by strangling, or by a violent blow, or by a headlong fall, or by the piercing of a horn, or those from which a wild animal has eaten, except what you [are able] to slaughter [before its death]."[78]

Allâh has declared in this verse that all animals which are killed by strangling or by a violent blow are unlawful without any exception. Therefore, whoever tries to prove that an animal which has been strangled to death or killed by a violent blow by

[77] Ahkâm Al-Qurân (vol. 2, pg. 552)
[78] (5:3)

a person from the people of the book is lawful for Muslims to consume based on the verse, "And the food of those who were given the Scripture is lawful for you" will also have to assert that a pig slaughtered by a person from the people of the book is lawful because a pig is also the food of the people of the book.

The same verse which these people use to prove that the meat of a pig is unlawful also proves that an animal which is strangled to death or killed by a violent blow is unlawful, and there is no basis for differentiating between the two. If the meat of a pig has to be excluded from the 'food of those who were given the Scripture,' then an animal killed by strangling or by a violent blow has to be excluded for all the more reason. This is because pork is lawful in their religion, whereas an animal killed by strangling or by a violent blow is unlawful in the original version of their religion, as will be discussed shortly. Therefore, if a food which is lawful in their religion (pork) is excluded from the food of the people of the book which was made lawful for Muslims, then that food which was unlawful in the original version of their religion (the meat of an animal which is strangled or killed by a violent blow) should be all the more rightfully excluded.

2. There is an established principle of Fiqh and the Arabic language that when there is a ruling based on a derived word, then the root word will be the cause for establishing that ruling. For example, when we command someone to 'respect the people of knowledge,' then 'knowledge' will be the cause for the ruling of 'respect.' (When knowledge is found, then the command for respect will be applicable) This is because 'knowledge' is the root word of the derived word 'the people of knowledge.' This is an accepted principle. Applying this same

principle to this verse of Surah Mâidah, we can say that the cause for the animal which is 'killed by strangling or by a violent blow' being unlawful is the act of strangling and dealing a violent blow. Thus, an animal will become unlawful whenever the act of strangling or killing by a violent blow is found, irrespective of whether the slaughterer is a Muslim or from the people of the book.

3. The most that can be established by the verse, "And the food of those who were given the Scripture is lawful for you" is that the people of the book are treated on the same level as Muslims in the ruling relating to the slaughtering of animals. They have not been given preference over the Muslims so that whatever is deemed unlawful for the Muslims is lawful for them. It follows from Ibn Al-A'raby's view that the disbelievers from the people of the book would have preference over the Muslims, i.e. the animals they slaughter would always be lawful regardless of how they slaughter, and these animals would be unlawful if a Muslim were to slaughter using this same method. This is obviously wrong.

4. It is an accepted fact in Islâm that all the disbelievers in fact constitute one community. This principle demands that the people of the book be treated in the same category as the other disbelievers in their slaughtered animals being unlawful. However, Allâh has given the people of the book preference over the other disbelievers in the matter of slaughter and marriage because their laws regarding slaughter and marriage were similar to that of the Muslims. They used to observe the same conditions in their slaughter which the Muslims used to observe as ordained by Islâm. These laws are found in their Holy books till today, despite the many interpolations. We will now present some passages from their Holy books.

There is a passage in Leviticus of the Old Testament which says, " And the fat of the beast that dieth of itself, and the fat of that which is torn with beasts, may be used in any other use: but ye shall in no wise eat of it."[79]

It is also mentioned in Deuteronomy, "And thou shalt offer thy burnt offerings, the flesh and the blood, upon the altar of the Lord thy God: and the blood of thy sacrifices shall be poured out upon the altar of the Lord thy God, and thou shalt eat the flesh. Observe and hear all these words which I command thee, that it may go well with thee, and with thy children after thee for ever, when thou doest that which is good and right in the sight of the Lord thy God."[80] These two books from the Old Testament are accepted both by the Jews and Christians.

It is also mentioned in Acts of the New Testament which is only accepted by the Christians, "For it seemed good to the Holy Ghost, and to us, to lay upon you no greater burden than these necessary things; That ye abstain from meats offered to idols, and from blood, and from things strangled, and from fornication: from which if ye keep yourselves, ye shall do well. Fare ye well."[81]

It is written in another place in the same book, "As touching the Gentiles which believe, we have written and concluded that they observe no such thing, save only that they keep themselves

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[79] [7:24]
Translator's note: All Bible passages are taken from the King James Standard Version
[80] [12:27]
[81] [15: 28-29]

from things offered to idols, and from blood, and from strangled, and from fornication." [82]

St. Paul - who the Christians believe to be a Prophet - says in his first letter to the Corinthian people, "But I say, that the things which the Gentiles sacrifice, they sacrifice to devils, and not to God: and I would not that ye should have fellowship with devils. Ye cannot drink the cup of the Lord, and the cup of devils: ye cannot be partakers of the Lord's table, and of the table of devils."[83]

It is worth mentioning that St. Paul is the one who declared all of the laws of the Torah to be abrogated for the Christians despite the texts of Isâ (Jesus) ﷺ (which state that the Torah must also be followed). However, he retained the laws related to slaughter and did not abrogate them. Therefore, he declared strangled animals to be unlawful and he made it a condition that the slaughter be for Allâh. From this, it is clear that the laws regarding slaughter in the original version of Christianity were similar to that of the Jews.

The Holy books of the Jews contain many detailed laws regarding slaughter. It is stated in the Mishnah which is the primary source of Jewish Law, "If he slaughtered with a hand-sickle or with a flint or with a reed, what he slaughters is valid. All may slaughter and at any time and with any implement excepting a reaping sickle or with a saw or teeth or the finger-nails, since these choke."[84] Doctor Herbert Dinby writes under this passage of the Mishnah that the laws of slaughtering which the Jews consider to be a part of the religion which was given

[82] [21:25]
[83] [10:20]
[84] The Mishnah, Hullin 1, pg. 513, Oxford 1987

to Musâ (Moses) on the mountain can be summarized in five points:

(a) there must be no delay, but the knife must be kept continually moving backwards and forwards;

(b) no pressure may be exerted;

(c) there may be no thrusting or digging in of the knife under the skin or between the gullet and windpipe;
(d) the knife may not be allowed to slip beyond a certain area of the throat - from the large ring of the windpipe to the upper lobe of the inflated lungs; and

(e) the gullet or windpipe must not be torn out of position in the course of slaughtering.[85]

These passages are taken from those Holy books which the Jews and Christians consider to be primary sources of their religions, and they prove the following:

1. An animal which is strangled to death and an animal which is killed by a violent blow is unlawful in their religion just as it is unlawful in our religion.

2. It is apparent that they also require that the slaughter be for Allâh. In other words, the name of Allâh must also be recited according to them, as is clear from St. Paul's letter to the Corinthian people mentioned above.

[85] Ibid, pg. 513

3. Ibn Al-A'raby gave the ruling in his book that it is lawful to consume a chicken whose neck was twisted by a Christian based on the assumption that Christians consider a strangled animal to be lawful. (This is assuming that this view can be reliably attributed to him because this view contradicts another passage of the same book). This is explained by the fact that he has justified this verdict by saying, "Everything which the Christians consider to be lawful in their religion is also lawful for us in our religion." However, he is mistaken in this view because the passages of the Holy books of the Christians clearly state that a strangled animal is unlawful (See the passages mentioned above which were taken from Acts of the New Testament in [15: 28-29] and [21:25]). If Ibn Al-A'raby had known that a strangled animal is unlawful in their religion, he would not have passed such a ruling.

4. These passages prove that Ibn Kathîr is correct in saying that all scholars are unanimous that the animals slaughtered by the people of the book are lawful for Muslims because the people of the book consider animals slaughtered for gods other than Allâh to be unlawful and they only mention the name of Allâh at the time of slaughter despite the fact that they hold incorrect beliefs regarding Allâh."[86]

5. In light of the texts of the Holy books of the Christians which we presented, an animal which has been strangled to death or dealt a violent blow is clearly unlawful for them to consume. It does not make sense for a person to say that an animal which is unlawful for a Christian to consume is lawful for us, whereas the action of strangling or dealing a violent blow also makes an animal unlawful for a Muslim. In other words, this person is

[86] Tafsir Ibn Kathîr (vol. 2, pg. 19)

saying that an animal which is strangled or dealt a violent blow by a Muslim is unlawful. On the other hand, he is saying that if the very same unlawful action is carried out by a Christian, the animal is lawful for a Muslim to consume, despite the fact that it is unlawful even for the Christian.

It is as if a person who holds such a view is giving the disbelievers a special preference which makes their actions valid for us in our religion even though these actions are unlawful both in their religion and in our religion. It is obviously impossible for this to happen, and this is the necessary outcome of saying that an animal which the people of the book slaughter in a manner contrary to Islâmic law is still lawful for us. A ruling whose necessary outcome is incorrect will also itself be incorrect.

6. The Jews and Christians have been given virtue over the rest of the disbelievers in two matters. One is that the animals they slaughter are lawful for us. The second is that it is permissible to marry their women. It is an accepted fact that it will only be lawful to marry their women when all the requirements of marriage in Islâmic law are fulfilled.

There is no scholar who says that it is permissible for a Muslim to marry a woman from the people of the book in a manner contrary to Islâmic law, for example by marrying a woman from the people of the book who is categorized as being from the prohibited degrees of relationship mentioned in the Qurân and Ahâdîth, or marrying without any witnesses, or if the marriage takes place without offer and acceptance from both parties. It is clear from this that marriage with the people of the book will only be valid if it takes place in a manner which is recognized by Islâmic law.

It is incorrect to say that a marriage with takes place with the people of the book in a manner which is contrary to Islâmic law is valid because of the verse, "And [lawful in marriage] are chaste women from amongst those who were given the Scripture before you."[87] If this is the case with marriage with the people of the book, then why should it also not be necessary that the slaughter of the people of the book be in accordance to Islâmic law? How can anyone use the verse, "And the food of those who were given the Scripture is lawful for you" to prove that an animal which is killed in a manner contrary to Islâmic law (by choking or strangling) is lawful to consume when both the ruling for marriage with the women of the people of the book and the ruling for meat slaughtered by the people of the book is mentioned together in one verse?

7. The scholars unanimously agree that an animal which is strangled, killed by a violent blow, and killed without being slaughtered is unlawful to consume without any exception because of absolute proofs. This will apply even if the strangler or the person who is giving the violent blow is from the people of the book. We do not know of anyone who has said that an animal which has been strangled or killed by a violent blow by a person from the people of the book is lawful besides Ibn Al-A'raby, whose statement was mentioned above. As you have already seen, this contradicts another statement of his which he made in the same book only half a page before. Can a person go against the verses of the Qurân, the Ahâdîth, and the other strong proofs solely based on this digressed view of Ibn Al-A'raby which itself is contradictory and is based on the assumption that an animal strangled to death is lawful for the

[87] (5:5)

Christians. The passages of their Holy books clearly show that he is mistaken in making this assumption.

Even if we assume for a moment that there is no contradiction in Ibn Al-A'raby's book and this is his accepted view, we still will not accept a digressed view which is contrary to the Qurân, Ahâdîth, and other strong proofs followed by the majority of the scholars. It is not appropriate to hold on to Ibn Al-A'raby's view in such a serious matter where in case of doubt, the ruling of prohibition must be given preference. All the more, there can be no doubt, as in this case, where the ruling of prohibition is established by absolute proofs and the consensus of scholars.

The correct view is that the animals slaughtered by the people of the book will only become lawful for us when they are slaughtered according to the Islâmic way by cutting the vessels and draining out the blood. The animal will be unlawful if it is strangled, killed by a violent blow or slaughtered in any other manner which is contrary to Islâmic law.

Chapter 8: Do The People Of The Book Have To Recite The Name Of Allâh?

The second part of this question is whether it is a condition for the people of the book to recite the name of Allâh in order for the animal to become lawful. The scholars have held different views in this regard.

1. The first view is that it is necessary for the people of the book to recite the name of Allâh just as it is necessary for Muslims. This is the view of the followers of Imam Abû Hanîfah and Ahmad Ibn Hanbal. Ibn Qudâmah says, "It is a

condition for every slaughterer to recite the name of Allâh with intent, irrespective whether he is a Muslim or from the people of the book. Therefore, the animal will be unlawful if a person from the people of the book intentionally leaves out the name of Allâh or recites the name of gods other than Allâh. This view is narrated from A'li, Ibrâhîm An-Nakhai'y, Shâfi'î [88], Hammâd, Ishâq, and the followers of Imam Abû Hanîfa."[89]

Kâsâni says, "The animal slaughtered by the people of the book will only become lawful if we do not personally witness the slaughter and do not hear the slaughterer recite anything, or if we are physically present at the time of slaughter and we hear him reciting only the name of Allâh. This is because we will assume that he only recited the name of Allâh and did not recite anything else in the situation where we did not hear him recite anything, thinking good of him, as is the case with a Muslim.[90]

Some scholars hold the view that an animal is lawful if we hear him recite the name of Allâh, but [we know that] he is referring to Isâ (Jesus) ﷺ because he has outwardly recited the name of

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[88] Ibn Qudâmah has mentioned this as being the view of Imâm Shâfi'î, whereas his famous view is that it is not necessary for a Muslim to recite the name of Allah, let alone the people of the book. We can make these two different views of Imâm Shâfi'î conform by saying that Imam Shâfi'î's view is that the animal becomes unlawful if the name of Allah is left out because of not attaching importance to it, and the outward condition of a disbeliever is that he will leave out the name of Allah due to his not attaching importance to it. So, in this way, we can also say that an animal is unlawful according to Imâm Shâfi'î if a person from the people of the book does not recite the name of Allah. Allah knows best.

[89] Al-Mughni (vol. 11, pg. 56)

[90] This will be the case when the people of the book normally recite the name of Allah at the time of slaughter. However, we will consider the meat to be unlawful when they do not normally recite the name of Allah.

Allâh just as the Muslims do, unless if he specifically recites the name of Allâh while saying that He is part of the trinity. It is narrated that A'li ﷺ was asked regarding animals which are slaughtered by the people of the book who recite the name of gods other than Allâh at the time of slaughter. He answered, 'Allâh has made the animals slaughtered by them lawful while having full knowledge of what they say.' The animal will be unlawful if someone hears a slaughterer from the people of the book reciting the name of Isâ (Jesus) ﷺ upon the animal or reciting the name of Isâ (Jesus) along with Allâh. This view has been narrated from A'li ﷺ and no contrary view has been narrated from him."[91]

2. The second view is that it is not necessary for a person from the people of the book to recite the name of Allâh at the time of slaughter in order for the animal to become lawful and the animal will still be lawful if the follower of the book does not recite the name of Allâh during the slaughter. However, the animal will become unlawful if he mentions the name of a god other than Allâh, such as Isâ (Jesus) ﷺ. This is the view of the followers of Imam Mâlik. Dardîr has said,

"It is a condition that a Muslim recite the name of Allâh, irrespective of which words he uses to do so. For example, he can say *Lâ ilâha illallâh* (There is no god but Allâh), *Allâhu Akbar* (Allâh is the greatest), *Subhân Allâh* (Allâh is pure from all defects), or *Bismillah* (In the name of Allâh). It is not necessary for a person from the people of the book to recite the name of Allâh at the time of slaughter, rather it is a condition

[91] Badâi' As- Sanâi'(vol. 5, pg. 46)

that he does not recite the name of gods other than Allâh which he believes in."[92]

3. The last view is that it is not necessary for a person from the people of the book to recite the name of Allâh and the animal will become lawful even if he recites the name of a god other than Allâh. Ibn Qudâmah says that this view is narrated from A'tâ, Mujâhid, and Makhûl.[93]

After analyzing the proofs behind each view, we come to the conclusion that the first view is the strongest because Allâh says in the Qurân, "And do not eat of that upon which the name of Allâh has not been mentioned." The passive tense used in "not been mentioned" clearly shows that leaving out the name of Allâh makes an animal unlawful, irrespective of whether the slaughterer is a Muslim or from the people of the book. In the same way, Allâh has mentioned 'the animal upon which the name of gods other than Allâh is recited'[94] while discussing those animals which are unlawful to consume. The verb which is used in this verse is also in the passive tense, so this verse will apply to when the slaughterer is Muslim and when he is from the people of the book. The same principle will apply to the verse, "And those which are sacrificed on stone altars."[95]

We have mentioned above that both the Jews and Christians had been slaughtering animals on the name of Allâh, and St. Paul had made the animals slaughtered by other nations unlawful for the Christians because they were slaughtered for Satan and not Allâh, as was mentioned above in his letter to the

[92] As-Sharh As-Saghîr (vol. 2, pg. 170-1)
[93] Al-Mughni (vol. 11, pg 56)
[94] (5:3)
[95] (5:3)

Corinthian people. It for this reason that the animals slaughtered by the people of the book were made lawful for the Muslims, as was mentioned above in the statement of Ibn Kathîr. Therefore, when the people of the book leave out the name of Allâh or recite the name of a god other than Allâh during the slaughter, the factor behind their slaughtered animals becoming lawful is no longer found and they will remain on their original state of unlawfulness.

Most of the proofs mentioned above which establish that an animal strangled or killed by a violent blow by the people of the book is unlawful will also apply to reciting the name of Allâh at the time of slaughter. There is a slight difference between the two, and it is that leaving out the name of Allâh is not as serious as strangling an animal or killing it by a violent blow. The reason for this is that there is a difference of opinion amongst the scholars on whether an animal upon which a person from the people of the book did not recite the name of Allâh is unlawful, as we have already mentioned. However, there is no difference of opinion amongst the reputable scholars that an animal killed by strangling or by a violent blow is unlawful. Ibn-Al-A'raby's contradictory view is not strong enough for us to consider it to be a valid difference of opinion and to affect the consensus.

The strong view which is supported by clear proofs is that the animals slaughtered by the people of the book will only become lawful if they observe all the conditions for slaughter which are mentioned in the Qurân and the Ahâdîth. This was the method of slaughter which was prevalent amongst them at the time when Allah revealed the verse which made it lawful to eat the animals which they slaughter. Allâh knows best.

Chapter 9: Animals Slaughtered By Materialists And Atheists Who Are Christian By Name

In order for the animals slaughtered by the people of the book to become lawful, it is necessary that the slaughterer be a follower of either the Christian or Jewish religion and that he believe in the fundamental teachings of that religion, even if these teachings are contrary to the teachings of Islâm, e.g. their belief in trinity, atonement, and the distorted versions of the Gospel and Torah. Allâh has called them 'people of the book' despite the fact that they used to have these false beliefs at the time the Qurân was revealed. Allâh has clearly said in the Qurân,

و قالت النصارى المسيح ابن الله

Translation: "The Christians say 'The Messiah is the son of Allâh.'"[96] In another verse, He says,

لقد كفر الذين قالوا إن الله ثالث ثلاثة

"They have certainly disbelieved who say, "Allâh is the third of three (in a trinity)."'[97] Allâh also says,

و قالت اليهود عزير ابن الله

[96] (9:30)
[97] (5:73)

"And the Jews say, 'Uzair (Ezra) is the son of Allâh.'"[98] He states in another place that 'they distort words from their [proper] places (i.e. usages).'[99]

و روى عبادة بن نسي عن غضيف بن الحارث أن عاملا لعمر بن الخطاب كتب إليه أن ناسا من السامرة يقرئون التوراة و يسبتون السبت و لا يؤمنون بالبعث فما ترى فكتب إليه عمر أنهم طائفة من أهل الكتاب

Jassâs writes in his book that Ubâdat Ibn Nusayy narrates from Gadhayf Ibn Al-Hârith that a governor of U'mar Ibn Al-Khattâb ﷛ wrote to him, "There are people from As-Sâmirah who read the Torah and observe the Sabbath, but they do not believe in the resurrection. What should we do?" U'mar ﷛ wrote to him saying, "Indeed, they are a group of the people of the book."[100]

This incident proves that it is not necessary for a person to believe in a pure monotheism similar to that of Islâm in order for us to consider him to be from the people of the book. It is also not necessary that he believe that the Gospel and Torah are distorted and that the religion of Mûsâ (Moses) ﷺ and Isâ (Jesus) ﷺ has been abrogated. Rather, it is sufficient that he believes in those fundamental teachings of Jews and Christians which distinguish them from other religions.

However, it is not sufficient for a person to have a Christian name or for him to be counted as a Christian in the official census in order to establish that he is from the people of the

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98 (9:3)
99 (5:13)
100 Ahkâm Al-Qurân (vol. 2, pg. 323)

book. Instead, his beliefs must be similar to their beliefs. There are many people today - especially in western countries - who have Christian names and are sometimes recorded in the census as being Christians, but in reality they are materialists or atheists who do not even believe that there is a Creator of this universe, let alone having faith in the other Christian beliefs. In reality, these people mock at all religions. They are not Christians and it is not permissible to consider them to be people of the book. This means that the animals slaughtered by them will be unlawful.

The proof for this is clear; the people of the book were given preference over the other disbelievers only because of their belief in the existence of Allâh, the Prophets, and the Heavenly books. It is impossible to consider a person who does not believe in a supreme being, a Prophet, and a Holy Book to be a Jew or Christian. A similar ruling is narrated from A'li ﷺ regarding the Christians of Banû Taghlib.

و روى محمد بن سرين عن عبيدة قال سألت عليا عن ذبائح نصارى العرب فقال لا تحل
ذبائحهم فإنهم لم يتعلقوا من دينهم بشيئ إلا بشرب الخمر

Jassâs says in his book, "Muhammad Ibn Sîrin narrates from Ubaydah that he asked A'li ﷺ regarding the animals slaughtered by the Christian Arabs. A'li ﷺ answered, 'The animals slaughtered by them are unlawful because the only aspect of their religion which they practice upon is that they drink alcohol.'"[101] The meaning of this is that they did not believe in the Gospel or Torah and the elementary teachings of the Christians or Jews. Therefore, it is not possible to consider

101 Ahkâm Al-Qurân (vol. 2, pg. 323)

them to be people of the book just based on the fact that they call themselves Christians.

However, this ruling only applies to the situation when we know with certainty that a person does not believe in a supreme being, the Prophets, or the Holy Books. It is permissible for us to consider a person to be from the people of the book if his name and outer condition indicate that he is Christian unless if we come to know that his beliefs are similar to those of the materialists.

Chapter 10: The Ruling Of Meat Whose Slaughterer's Identity Is Unknown

There are four possible situations for when the identity of the slaughterer and the method of slaughter is unknown:

1. It is lawful to consume the meat sold in stores when the majority of the residents of the country are Muslims, even if we personally do not know who slaughtered the animal and whether he recited the name of Allâh or not. This is because we will assume that the meat which is found in Muslim Countries has been slaughtered according to Islâmic law and because we are commanded to think good of other Muslims. The basis for this is the Hadîth of Â'isha ﵂ wherein some people asked Rasûlullâh ﷺ, "Some people bring meat to us and we do not know if the name of Allâh was recited upon it or not?" He answered, "You should recite the name of Allâh upon it and eat." Â'isha ﵂ adds that the people regarding whom this question was asked were new Muslims.[102]

[102] Sahîh Bukhâri (5507)

Hâfiz Ibn Hajar says in the commentary of this Hadîth, "Ibn At-Tin says that a Muslim is not legally responsible for someone else, without his knowledge, reciting the name of Allâh at the time of slaughter. The slaughter will only be considered unlawful if it is known with certainty that the name of Allâh was not recited. There is a possibility that this Hadîth means that reciting the name of Allâh before eating makes it lawful for us to consume an animal upon which we do not know if the name of Allâh was recited. This would only apply when the slaughterer is such a person whose slaughter would be valid if he were to recite the name of Allâh. Another point which we learn from this Hadîth is that we will assume that all the meat found in Muslim markets was slaughtered correctly, and we will also assume the meat slaughtered by Muslim Bedouin Arabs is lawful because it is most likely that they are aware of the need to recite the name of Allâh at the time of slaughter. Ibn Abdul-Barr has strongly supported this second view."[103]

Â'isha 's statement that "they were new Muslims" shows that there was fear that these people might not have been aware of the need to recite the name of Allâh at the time of slaughter. Despite this possibility, Rasûlullâh ﷺ made it lawful to consume the animals which they slaughter because the action of a Muslim will be assumed to be correct even if he is unaware of the correct way to carry out the action, unless it is known with certainty that he did do it incorrectly. Bukhâri has hinted towards this fact by titling the chapter under which this Hadîth is mentioned as 'the chapter of animals slaughtered by Bedouins and similar people.' Hâfiz Ibn Hajar says that it is clearly mentioned in the version of this Hadîth which is in

[103] Fath Al-Bâri (vol. 9, pg. 635-6)

Sunan An-Nasa'î that these people were Bedouins, and generally Bedouins tend to be lacking in knowledge.

2. It is unlawful for Muslims to consume meat which is sold in the stores of countries in which the majority of the people are disbelievers who are not people of the book. It will only become lawful to consume this meat when we know with certainty or with probability that this specific meat [in front of us] was slaughtered either by a Muslim or a person from the people of the book in accordance with Islâmic law. This point is very clear.

3. The same ruling will apply when there are many different religious groups in a country, such as Muslims, fire-worshippers, and idol-worshippers. This is because of the fact that when doubt exists, we will consider the animal to be unlawful unless we know with certainty that the animal is in fact lawful. The proof for this is the Hadîth of A'diy Ibn Hâtim ﷺ which was mentioned above wherein Rasûlullâh ﷺ declared a hunted-animal to be unlawful when another hunting-dog had participated in the kill.

4. It is lawful to consume the meat found in the stores of a country where the majority of the inhabitants are people of the book, as is the case when the majority of the people of a country are Muslims because the same laws which apply to the meat slaughtered by Muslims also apply to the meat slaughtered by the people of the book. However, the meat will not be lawful to consume when we know with certainty or with probability that the people of the book in that country do not slaughter the animal according to Islâmic law, unless we know that this specific meat [in front of us] was slaughtered in the

Islâmic way. This is the situation which is prevalent in the majority of western countries today, as we will soon discuss.

Chapter 11: The Modern Automated Method Of Slaughter

The ever-increasing population and their great food requirements have made it necessary to use automated systems for slaughtering animals. Huge butcheries and slaughterhouses have been established where thousands of animals are slaughtered daily. Therefore, it is necessary to know the Islâmic ruling regarding these institutions. The automated method of slaughter varies according to the type of animal; for example, the method used to slaughter chickens is different from the method used to slaughter cattle and goats.

The Slaughter Of Chickens

I have personally witnessed the method used to slaughter chickens in Canada, South Africa, and Reunion. There is one huge automated system which undertakes all the phases of the slaughter and production. The chicken is put in one side of the machine and its meat comes out on the other side, cleaned and packed. The electric machine handles all processes related to the slaughter, including plucking its feathers, removing its intestines, cleaning the meat, cutting it into pieces, and finally packing it. There is a long iron rail in this machine which is raised in the middle of a long room between two walls. There are many hooks on the bottom part of this rail whose links are facing the ground.

Hundreds of chickens are brought from large trucks and each chicken is hung by its legs so that the two legs hang from the chain of the hook. The body of the chicken is upside-down, meaning that its throat and beak are facing the ground. These hooks take the hanging chicken to an area where cold water is released from above in the form of small sprays. The chicken is passed through this cold water in order to clean it from dirt and filth. In some cases, this water contains an electric current which stuns the chicken. Then, these hooks come to an area where a rotating blade has been placed at the bottom which cuts with great speed. This knife is placed where the necks of the chickens pass while they are hanging upside-down. This rotating blade is shaped like a crescent moon Many necks of chickens are brought to the side where the rotating blade is situated, and the knife automatically cuts the throat of each the chicken.

The chicken continues to go forward after its neck is cut, and after a short while, it is taken to another area where water is released from above. However, [the difference is that this time] the water is hot, and the purpose of passing the chickens through this water is to remove their feathers. Then, the same machine carries out the remaining processes, which include removing the intestines, cleaning, and cutting the chicken. We will not discuss these final processes because they are not relevant to the topic of this book. It is worth mentioning that this electric machine runs continuously throughout the day and sometimes for 24 hours, stopping only for certain intervals in between.

There are four points which need to be discussed regarding this method of slaughter from an Islâmic point of view.

1. Placing the chicken in water containing an electric current
2. Cutting the neck using a rotating blade
3. Placing it in hot water
4. How is the requirement of reciting the name of Allâh fulfilled in this automated method?

Not all slaughterhouses place the chicken in cold water before cutting its throat and many do not do so. If the water does not have an electric current, then this water has no effect on the validity of the slaughter. Also, the animal does not normally die because of the electric current in the water. The electric current only sedates the brain of the animal. This creates convulsions in its heart, making less blood flow out of the animal than normal. However, this is not enough to make the animal unlawful. The animal will be unlawful to consume when it is established with certainty that the current caused its death, even if the throat is cut afterwards in accordance to Islâmic law. Therefore, it is necessary to verify that the temperature of the water or intensity of the electric current is not high enough to kill the animal. A close watch must also be kept in order to ensure that the chickens do not die during this stage of slaughter. In spite of such monitoring, it is best not to use this electric current in order to remove all doubt regarding the lawfulness of this animal.

The rotating blade is similar to a grindstone whose edges are sharp. This grindstone continuously rotates with speed. The throats of the chickens pass over the edges of the grindstone and are automatically cut. On the outward, the knife cuts the vessels of the chicken. However, sometimes due to a particular reason, the chicken moves a little from its place on the hook, causing the neck not to line up perfectly with the knife. Because of this, the neck is either not cut at all or it is only

partially cut. This casts a doubt on whether the vessels were cut or not. In both cases, the slaughter will not be valid.

There are many complications with regards to reciting the name of Allâh while using the automated method. The first complication is in specifying who is the slaughterer because only the slaughterer is responsible for reciting the name of Allâh. It is not valid for one person to slaughter and for another to recite the name of Allâh for him. Therefore, the question to ask is that who is the slaughterer in this automated method? We could say that the slaughterer is the person who started the machine because he controls the movement of the machine. The machine itself does not have the level of intelligence which would allow us to attribute the act of slaughtering to it.

We could attribute the slaughter to the person running the machine and consider him to be the slaughterer whilst using the machine as a tool. However, the problem with this is that the person who starts the machine only starts it once, for example in the morning. Thereafter, the machine runs continuously during the work day and sometimes for 24 hours, cutting the necks of thousands of chickens. If the person who starts the machine recites the name of Allâh once in the beginning of the day, will this one recitation suffice for the thousands of chickens slaughtered by this machine during the day? The outward meaning of the verse of the Qurân, "And do not eat of that upon which the name of Allâh has not been mentioned" proves that the name of Allâh must be recited separately for each animal and that it should be slaughtered immediately thereafter. Based on this principle, the scholars of Fiqh have derived the following laws:

"One of the conditions for the slaughter under normal circumstances is that one must specify the animal for which he is reciting the name of Allâh. From this principle, we can derive the ruling for when a person slaughters one animal whilst reciting the name of Allâh and then slaughters another animal while assuming that the first recitation of the name of Allâh will suffice for both animals. This second animal will be unlawful in this case. Therefore, it is necessary that the name of Allâh be recited separately for each animal."[104]

"If a person places a sheep on the ground to slaughter it, takes a knife, recites the name of Allâh, leaves this sheep, and slaughters another sheep in its place while intentionally leaving out the name of Allâh, then this animal will be unlawful to consume. This is mentioned in Khulâsatul Fatâwâ (written by Tâhir Bukhâri)...

If a person lays a sheep on the ground for slaughter, recites the name of Allâh upon it, then speaks to a person, drinks water, or sharpens his knife, or eats a morsel of food, or does another similar action which is not considered to be an extended action, then this recitation of the name of Allâh will suffice for that animal. However, it will be *Makruh* (disliked) to consume that animal if he talks for a long time and the action becomes extended. No exact time has been stipulated for an action to be considered extended, rather we will look at the normal trend. An action will be considered to be extended if people normally consider it to be extended. Similarly, the time period of an action will be considered to be short if people consider it so."[105]

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[104] Al-Fatâwâ Al-Hindiyah (vol. 5, pg. 286)
[105] Al-Fatâwâ Al-Hindiyah (vol. 5, pg. 288)

Ibn Qudâmah says, "The recitation of the name of Allâh is valid [if recited] at the time of slaughter or close to it, as is the case in *Wudhû* (ablution for prayer). It is not permissible to recite the name of Allâh on one sheep, take another sheep, and slaughter it while relying on the first recitation of the name of Allâh. This ruling will apply, irrespective of whether the slaughterer releases the first sheep or slaughters it because he did not make the intention of slaughtering the second sheep when he recited the name of Allâh the first time.

It is also unlawful for a person to recite the name of Allâh upon seeing a herd of sheep, then take a sheep, and slaughter it without repeating the name of Allâh. A person who is unaware of the need to repeat the name of Allâh will not be in the same ruling as a person who forgets to recite the name of Allâh because a person who forgets is not held accountable for reciting the name of Allâh while a person who is unaware of the need to recite the name of Allâh is held accountable. This same principle applies to fasting; the fast of a person who eats forgetfully does not break, while the fast of a person who is unaware that his fast will break by eating does break.

If a person lays down a sheep for slaughter, recites the name of Allâh, puts his knife down and takes another one, or returns the Salâm (greeting of a Muslim), or speaks to a person, or asks for water, or does something similar, then the slaughter will be valid because he had recited the name of Allâh on a specific sheep and there was only a short interval between the recitation of the name of Allâh and the slaughter. Thus, we will consider this interval as if it did not take place."[106]

[106] Al-Mughni (vol. 11, pg. 33)

Al-Mawwâq Al-Mâliki says, "Imam Mâlik holds the view that it is necessary for a person to recite the name of Allâh while shooting his weapon, releasing his hunting-animal, and slaughtering because of the verse, "And mention the name of Allâh upon it."[107]

These passages from the books of Fiqh clearly show that the majority of scholars who require that the name of Allâh be recited at the time of slaughter also require that the name of Allâh must be recited on a specific animal and at the time of slaughter. They also make it a condition that a significant interval of time not pass between the recitation of the name of Allâh and the slaughter.

These conditions are not found in the automated process mentioned above. If the person who starts the machine recites the name of Allâh, then he is not reciting the name of Allâh on a specific animal, and a significant period of time will elapse between his recitation of the name of Allâh and the slaughtering of thousands of chickens throughout the work day, 24 hours, or longer. Apparently, this recitation of the name of Allâh will not suffice for the slaughter of all these chickens. This is similar to the situation mentioned by Ibn Qudâmah above in which he says that it is unlawful for a person to recite the name of Allâh upon seeing a herd of sheep, then take a sheep, and slaughter it without repeating the name of Allâh.[108]

It is possible for someone to raise an objection to this view based on the following statement, "It will be sufficient to recite the name of Allâh only once when a person lays down two

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[107] At-Taj Wal Iklil bi Hamish Mawâhib Al-Jalîl (vol. 3, pg. 219)

[108] This same ruling is also mentioned in Al-Fatâwâ Al-Hindiyah (vol. 5, pg. 289)

sheep, one on top of the other and slaughters both in one motion. However, if he places two sparrows in his hand, recites the name of Allâh, and slaughters them in succession, then the second sparrow will be unlawful to consume. Reciting the name of Allâh once will suffice if he slaughters both in one stroke."[109]

There is a possibility that someone might say that the ruling for reciting the name of Allâh using a automated machine is similar to the above-mentioned ruling where a person lays down two sheep together or gathers two sparrows in his hand in that reciting the name of Allâh once will suffice. However, in reality, the two situations mentioned above cannot be applied to the automated slaughter because the two sheep and two sparrows mentioned above are slaughtered simultaneously without a significant interval of time elapsing between the slaughter and recitation of the name of Allâh. For this reason, the author of this passage clearly states in this ruling that the second sparrow will be unlawful to consume if a person takes two sparrows in his hand, recites the name of Allâh, slaughters the first, and thereafter slaughters the second one. This is because of the fact that the second sparrow was not slaughtered simultaneously with the first. We cannot say that all the chickens slaughtered by automated machine in the period of one or two days are slaughtered at once because they are in reality slaughtered separately, one after the other. Thus, there is a clear difference between the two situations.

This proves that it is not sufficient for the person starting the machine to recite the name of Allâh once for all the animals slaughtered by the machine. If a person is stationed by the

[109] Al-Fatâwâ Al-Hindiyah (vol. 5, pg. 289)

rotating blade to recite the name of Allâh every time the throat of a chicken is cut (I witnessed this in a slaughterhouse in Canada), then there are the following difficulties in considering the recitation of the name of Allâh to be valid in Islâmic law:

1. The name of Allâh should be recited by the slaughterer himself, whereas the person standing by the machine does not participate in the slaughter in any way; he has neither started the machine, moved the rotating blade, or placed the chicken in front of the rotating blade. He is completely detached from the slaughter. Therefore, his recitation of the name of Allâh cannot be considered as being the recitation of the slaughterer.

2. Many chickens pass through the rotating blade in the span of a few seconds. Therefore, it is not possible for the person standing to recite the name of Allâh separately for each one.

3. The person standing is a human being and not an automatic machine, meaning that it is not possible for him to continuously recite the name of Allâh without doing anything else. He will sometimes have to attend to his needs and thus will be distracted from reciting the name of Allâh. In this period of time, many chickens will pass through the rotating blade and be slaughtered without having the name of Allâh recited upon them. I personally saw in the slaughterhouse in Canada that this person would be away from his place near the machine for intervals which would sometimes extend for half an hour or more.

The rotating blade should be removed and replaced with four Muslims who take turns in cutting the throats of the chicken while reciting the name of Allâh as the chickens are brought by

the hooks.[110] I proposed this idea to a large slaughterhouse in Reunion and they implemented my proposal. Experience has shown that implementing this method does not affect the number of chickens slaughtered in the least bit because the four slaughterers take the same amount of time to cut the necks of the chicken as the rotating blade.

Also, this machine is not entirely independent of human labor. We have seen that the managers of slaughterhouses are often forced to appoint workers to stand in sections of the machine where the hooks pass through and remove the intestines from the stomachs of the chickens either by hand or by using tools. I do not know of any slaughterhouse which is completely independent of such human labor. If they can appoint people for this type of work, then they can definitely appoint four people to slaughter. By doing so, the slaughter can take place according to Islâmic law at the hands of Muslim slaughterers who recite the name of Allâh while slaughtering, and the remaining processes can be done automatically by the machine. Besides Reunion, I also saw the same method being implemented in a much larger slaughterhouse in Durban, South Africa. Thousands of chickens are slaughtered there daily. They accepted this request from the Muslims and are implementing it without any difficulty.

In the same way, I also spoke to the owners of a slaughterhouse which I visited in Canada and I requested them to do the same

110 Author's Note: The original book has made some points for consideration of the scholars. Because these points are not in the form of a final ruling, they are not meant for the common readers. Thus, they are not included in the translation. The scholars may refer to them in the original Arabic book.

(to modify their method of slaughter). They expressed their willingness to implement this method if the Muslims requested it. However, it is a great disappointment that the Muslim group which sanctions their chickens as being lawful did not accept this proposal.

As long as this replacement is practical to implement, there is no pressing need to use the rotating blade. Allâh knows best.

Passing The Chickens Though Hot Water

The last issue related to the automated process is that after passing through the rotating blade, the chickens are brought to a zone where hot water is released from above in order to remove their feathers. There are two possible issues of contention related to this hot water:

1. When the throat of a chicken is not cut by the rotating blade in a manner which is acceptable in Islâmic law, then it will still have some life left in it when it is brought to the area where it will be immersed in hot water. Thus, it is not far-fetched for such a chicken to die because of the heat of the water, making it unlawful to consume.

2. Some people object to this method of slaughter because the animal is submersed in the hot water before all the impurities and filth are removed from the stomach of the chicken. Therefore, there is a possibility that these impurities and filth will sometimes seep through and penetrate the meat of the animal because of the boiling temperature of the water. The scholars of Fiqh have said that such a chicken is definitely unlawful to consume. It is mentioned in Ad-Durr Al-Mukhtâr, "The same law will apply to a chicken which is placed in water

in order to remove its feathers before it is cleaned." Ibn Âbidîn says in the footnote, "Ibn Al-Humâm says in Al-Fath that this animal can never become lawful, but there is a narration from Abu Yûsuf saying that it is lawful. The cause for this animal becoming unlawful –Allâh knows best - is the impurities being absorbed by the meat due to the boiling temperature of the water."[111]

However, this last objection does not apply in our case because the temperature of this water does not reach boiling point and is far below 100 degrees Celsius. Furthermore, the chicken only remains in this hot water for a few minutes, and this is not long enough for the meat to absorb the impurities. The scholars of Fiqh who hold the view that the chicken becomes unlawful have based their ruling on the fact that the temperature of the water reaches boiling point and the chicken stays in the water long enough for the meat to absorb the impurities. Ibn Âbîdîn says after mentioning this ruling,

"Based on this principle, it has become famous that the Samît meat of Egypt is unlawful. However, this will only be the case if the meat is kept in the boiling water for such a period of time in which the impurities normally seep through and penetrate to the inside of the meat. This does not occur in the Samît meat because the water which is used to cook this meat does not reach boiling point and the animal is only kept in the water long enough for the heat to reach the outer skin in order to dilate the pores of the wool. If the animal is left in the water longer, it would become difficult to remove the hair."[112]

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[111] Radd Al-Muhtâr (vol. 1, pg. 334)
[112] Radd Al-Muhtâr (vol. 1, pg. 334)

The ruling mentioned in this passage completely applies to the hot water used in the automated method of slaughter. I put my hand in this water and it was not hot enough to burn, let alone reaching boiling point.

A Summary Of The Discussion On The Automated Method For Slaughtering Chickens

The automated method for slaughtering chickens has the following shortcomings from an Islâmic point of view:

1. In some slaughterhouses, the chicken is immersed in cold water containing an electric current before its slaughter. There is a chance that this could cause the animal to die before it is slaughtered because some specialists hold the view that the current causes the heart of the chicken to stop 90 % of the time.
2. Despite the fact that the rotating blade does cut the required vessels most of the time, in some instances the neck of the chicken does not completely reach the side of the knife. The throat is either left uncut or only a small portion is cut, leaving the vessels uncut.

3. It is not possible for the name of Allâh to be recited on every chicken when using the rotating blade. Reciting the name of Allâh while starting the machine or while standing by the knife does not fulfill the requirements of Islâmic law.

4. There is a possibility that the hot water in which the chicken is immersed could cause its death when the rotating blade does not cut the neck or cuts it only partially.

After analyzing these four shortcomings, we can see that it is not very difficult for us to address them. It is still possible to use the automated method for slaughter after implementing the following changes:

1. The electric current should either be completely removed or adjusted in such a way that we know with certainty that it does not cause the heart of the chicken to stop.

2. The rotating blade should not be used and instead some Muslims or people of the book should be assigned to take turns slaughtering the chickens using their hands while reciting the name of Allâh on every chicken. I have already mentioned the details of this method above. Many large slaughterhouses have implemented this method after the Muslims requested them to do so, and this did not reduce the number of chickens produced.

3. We should ensure that the temperature of the hot water in which the slaughtered chicken is placed does not reach boiling point. If these three modifications are implemented, the chickens slaughtered by this machine will be lawful to consume.

The Automated Method Of Slaughtering Cattle

The method for slaughtering large animals such as cattle and goats differs from the method of slaughtering chickens. It is not possible to use a automatic knife because many aspects of the slaughter can only be carried out by humans. The way of slaughter according to the 'English method' is to strangle the animal by ripping open the portion of the chest between the two ribs and to pump in air until the lungs collapse. The animal

chokes to death and no blood flows out of the animal in the process. It is obvious that this is an animal which has been killed by strangling and therefore is unlawful to consume, as mentioned in the Qurân. We have already proven that strangling makes an animal unlawful to consume, irrespective of whether the person who strangles is a Muslim or from the people of the book. Such an animal will never be lawful under any circumstance.

However, most of the modern-day slaughterhouses slaughter the animal by cutting the side of the neck and letting the blood flow, or by cutting the back of the nape. Because of the fact that there are many different methods used to wound the animal, we cannot say with certainty that vessels of the animal are cut, and an animal is unlawful to consume until it is established that those vessels of the throat are cut which are required to be cut in Islâmic law. If the slaughterer is Muslim, then he can slaughter the animal according to the Islâmic method by cutting the vessels. However, the issue of contention is that people in charge of the slaughterhouses insist that the animal be stunned before a person begins the slaughter and they believe that it is necessary to stun the animal in order to give it relief during the slaughter and to lessen its pain. They use many different devices to subdue the animal so that it cannot run away and can be slaughtered with ease.

There are many different methods used to stun the animal. The most common method is to use a captive bolt pistol which is different from a normal gun that shoots bullets. When the captive bolt pistol is fired, a needle or metallic rod comes out. The slaughterer places this captive bolt pistol in the middle of the forehead of the animal and then fires it. The needle or metallic rod then pierces the brain of the animal, causing it to

immediately lose consciousness. After this, the animal is slaughtered.

The second method is to use a large hammer to hit the animal on the head. This causes pain to the animal, and therefore it is not used in most slaughterhouses. They prefer to use the captive bolt pistol in its place.

The third method is to use gas. The animal is detained in an area where a special formula of carbon dioxide gas is released which affects its brain and causes it to lose its senses. Thereafter, the animal is slaughtered by hand.

The fourth method is to use an electric shock. A instrument which resembles pliers is placed on the temple of the animal. Then, an electric current is released which goes through to the brain of the animal and causes it to lose its senses.

There are two issues which need to be discussed with regards to the legal ruling of stunning. The first issue is whether it is permissible to use this method in Islâmic law. The second issue is whether the meat of an animal which is stunned and slaughtered according to the Islâmic way by a Muslim or a person from the people of the book is lawful.

The ruling for stunning an animal is based on whether or not this method lessens the pain of the animal. In a famous Hadîth, Rasûlullâh ﷺ commanded us to slaughter an animal with perfection and gentleness;

قال رسول الله صلى الله عليه و سلم إذا قتلتم فأحسنوا القتلة و إذا ذبحتم فأحسنوا الذبحة

وليحد أحدكم شفرته وليرح ذبيحته

"When you kill, then kill with perfection. When you slaughter (an animal), then slaughter it with perfection. You should sharpen your knife and you should give relief to the animal."[113]

It is an accepted fact that the method of slaughter in Islâm, i.e. to cut the vessels, is the best way to kill an animal and the most humane. In certain circumstances, stunning causes more pain to the animal than the slaughter itself, as is the case when the animal is struck with a hammer in order to stun it. Undoubtedly, this type of stunning is not permissible in Islâm. We cannot say with certainty that the other methods of stunning cause less or more pain to the animal because applying the captive bolt pistol to the forehead deals a violent blow to the animal, the electric shock also causes some pain, and the gas makes it difficult for the animal to breathe. However, veterinary experts claim that these methods of stunning lessen the pain of the animal. If it can be established with certainty that these methods do in fact lessen the pain of the animal and do not cause its death, then it will be permissible to use them. Otherwise, it will be impermissible.[114]

The ruling for the meat of an animal which was stunned before being slaughtered is based on whether the stunning causes the death of the animal. The experts in the field in today's times claim that stunning does not cause the death of the animal. Instead, it causes the animal lose consciousness and makes it lose its sense of pain. However, this claim is worthy of consideration. The captive bolt pistol deals a violent blow to the forehead of the animal and to its brain. Therefore, it is not

[113] Sahîh Muslim (5055)
[114] Translator's note; Please refer to appendix # 1 for additional scientific research regarding the use of stunning.

far-fetched for the animal to die as a result of this blow, making it an animal that 'died as a result of a violent blow.'

I personally witnessed this method of stunning in the city of Detroit in the United States. I saw that approximately a finger's length of the rod of the captive bolt pistol penetrated the brain of the cow and blood came out of its brain. The animal immediately fell to the ground and its limbs completely stopped moving, as if it was dead. However, the manager of this American slaughterhouse said that the animal remains alive only for a few minutes after being hit by the captive bolt pistol and that it dies if it is not slaughtered within 12 minutes. I was unable to confirm to what extent what he said was true. However, I began to doubt the claim that stunning does not cause the death of the animal because of what I saw, and there is a possibility that at least a few animals do die as a result of this severe blow. Some experts admit that the electric shock causes the heart to stop in certain circumstances. Similarly, the gas can also cause the animal to die if its intensity is very high.

This subject requires an in-depth study by the Muslim specialists in this field who hold their religion in high esteem. It is not possible for me to pass a ruling on this issue because it is beyond my field of expertise. There is no doubt that it will be unlawful to use stunning if it causes the death of the animal or if there is a fear that it will cause the death of the animal, and such an animal will also be considered unlawful to consume once it is stunned. As long as there remains doubt in this method, the safest thing to do is to avoid using it. It is a well known fact that the Jews do not allow any type of stunning, and Muslims are more rightful than them in avoiding doubtful matters. Allâh knows best.

Chapter 12 : The Ruling Of Imported Meat

The stores in today's times are filled with meat imported from foreign countries such as England, the United States, Holland, Australia, and Brazil. It has already been established from the proofs mentioned above that the meat slaughtered by the people of the book will only become lawful to consume when they observe all the requirements of an Islâmic slaughter, and this was the method of slaughter which was prevalent amongst them at the time the verse which made the meat slaughtered by them lawful was revealed. It is a well-known fact that till today the Jews strictly follow the laws of their religion in slaughtering animals. They have been able to arrange special slaughterhouses for themselves under the supervision of their scholars and Rabbis. Their meat is known as 'Kosher' and is found wherever Jews are found.[115]

The Christians have completely freed themselves from being bound to any religious laws for slaughtering animals, and in today's times, they do not follow the laws which are clearly mentioned in their Holy Books even up till now. We have already quoted some of these texts above. Therefore, the animals slaughtered by them are unlawful to consume unless it is established that all the requirements of Islâmic law have been met. There are many factors which make it unlawful to consume the meat which is sold in the stores of western countries and imported by Muslim countries:

1. There is no way to know the religion of the slaughterer because idol worshippers, Magians (fire worshippers), atheists,

[115] Translator's note: Please refer to appendix # 2 for more information regarding the permissibility of consuming kosher meat.

and materialists all are found in these countries. Therefore, it is not possible to know with certainty that the slaughterer was a person from the people of the book.

2. Even if it can be known with certainty or by looking at the religion of the majority of the people of a country that the slaughterer is Christian, we still do not know if he is a real Christian or if he holds the beliefs of a materialist. We have already mentioned above that many Christians do not believe in the existence of a supreme being, meaning that they are not Christians in reality.

3. Even if it can be established with certainty or by looking at the outward condition of the slaughterer that he is a Christian, it is a common fact that Christians do not follow any religious laws in slaughtering animals. Rather, some of them strangle the animals to death, some of them slaughter without cutting the vessels, and some of them slaughter using the doubtful method of stunning which we described in detail above.

4. We know for a fact that Christians do not recite the name of Allâh during the slaughter, whereas the accepted view of the majority of the scholars is that reciting the name of Allâh is a condition for the meat slaughtered by the people of the book to become lawful.

When such strong factors establishing unlawfulness are present, it will not be permissible for a Muslim to eat the meat sold in the stores of Western Countries unless it is known with certainty that a specific animal was slaughtered according to Islâmic law. We have already established from the Hadîth of A'diy Ibn Hâtim ﷺ that the original state of the meat of an animal is that its consumption is unlawful until we establish

otherwise. Because of this, Rasûlullâh ﷺ made it unlawful to consume an animal if the hunter's dog and another dog both participated in the kill.

In the same way, Rasûlullâh ﷺ is reported to have said regarding a hunted animal,

قال رسول الله صلى الله عليه و سلم إن وجدته غريقا في الماء فلا تأكله فإنك لا تدري الماء قتله أو سهمك

Translation: "If you find that it has drowned in water, then do not eat from it because you do not know whether it died because of the water or because of your arrow."[116]

This proves that when factors which make an animal lawful and factors which make an animal unlawful are found together, preference will be given to the factors which make the animal unlawful. This Hadîth also shows that the original state of the meat of an animal is that its consumption is unlawful until it can be established with certainty that it is lawful. Many scholars of Fiqh have mentioned this principle.

The same principle will apply to imported meat because of the four factors mentioned above. There is sufficient evidence to prove that we cannot rely on the certification which is written on the cans or cartons stating that this animal was slaughtered according to Islâmic law. The Committee of the senior scholars of Saudi Arabia took on the responsibility of sending delegates to the slaughterhouses of foreign countries which export meat to Muslim countries. Thereafter, those delegates sent letters

[116] Sahih Muslim (943), Takmilah Fath Al-Mulhim (v. 3, pg. 494)

describing what they observed in those slaughterhouses. We will suffice by quoting these letters and the comments of this Committee regarding these letters because this is enough to prove that what we have said is true.

A Letter From Brazil

1. This is a letter from Ahmad Ibn Sâlih Mahâyiri describing the method of slaughtering the birds and cattle which are imported to Saudi Arabia from Brazil.

All praise is for Allâh, and mercy and peace be upon the Messenger of Allâh, Muhammad ﷺ, and upon all his companions.

To the respected scholar, Abdul Aziz Ibn Bâz;
Peace be upon you and the blessings and mercy of Allâh,

In response to your letter numbered 4/ 3443 dated Jumâd Ath-Thi 21, 1398 A.H. regarding an investigation as to how the chickens and cattle which are imported into Saudi Arabia are slaughtered, it honors me to bring to your attention the following points:

Between the 14th of Rajab 1398 A.H. and the 30th of Rajab of the same year, I traveled by land to visit seven Brazilian Cities which export meat and chickens.

1. Curitiba which is 450 Kilometers away from the city of Londrina.
2. Ponta Cruza which is 210 Kilometers away
3. Campo Grande which is 75 Kilometers away
4. Guiaba which is 125 Kilometers away

5. Goiania which is 110 Kilometers away
6. Providente which is 25 Kilometers away
7. San Joseph which is 375 Kilometers away

Although I went to every company in these cities which exports meat and came to know of their method of slaughter, I will only discuss in this letter –If Allâh wills- those companies which export to Saudi Arabia. I will also give my observations and suggestions in light of what I learned during my journey.

The Princisa Company Which Specializes In Chickens

This company is located in the city of Ponta Cruza in the state of Parana in Brazil. It raises chickens in a special farm and slaughters more than 150 tons of chickens in one month. The company packs the meat and exports it to many Arab Countries, such as Mascat, Amman, Kuwait, and Saudi Arabia. This company exports through the Patropraz company of Brazil. The meat is packed in nylon cases and cartons on which it is written in Arabic, "Slaughtered according to Islâmic law." (I have enclosed a sample for you to examine).

When the Ministry of Commerce from one of the Islâmic countries requested the importers to provide proof that this exported meat was slaughtered according to Islâmic law along with the imported papers, this company went to the president of the Islâmic organization in nearby Curitiba. They spoke to Husayn Al-U'mayri and made an agreement with him that his organization will certify that each container of chickens was slaughtered according to Islâmic law. In exchange for this certification, the company would give his organization

approximately 10% of the value of the chickens. (You will find enclosed a label of certification from this Islâmic organization both in Arabic and Portuguese).

On the 14th of Rajab 1398 A.H., I left Londrina and headed towards this company, passing by the city of Curitiba in order to pick up Husayn Al-U'mayri, the president of the Islâmic Organization. I went with him to the company's headquarters in the city of Ponta Cruza. After being welcomed by the supervisors, I requested that they allow me to witness their method of slaughter. I personally observed the following points:

(In this company), the chickens are hung by their legs upside-down while they are still alive. A machine takes them to a place where a man is standing with a knife. He cuts the jugular vein of every chicken which comes to him, and he tries to take the least amount of time possible so that he can cut the jugular vein of the next chicken. After the chicken is slaughtered, the same machine takes the hanging chickens to an area where there is hot water. The chickens are immersed in this water in order to pluck the feathers, clean the insides, and package the meat into the nylon bags described above.

The issue of contention in this method of slaughter is that most of the time the two jugular veins are not cut because of the speed in which the slaughterer is required to do his job. Similarly, the chickens are also placed in boiling water within a short period of time after the slaughter, and there is a possibility that they might not have died as of yet, causing them to choke to death. In the same way, it is also necessary to verify whether the slaughterer is from the people of the book or a pagan.

After leaving the slaughterhouse, I held a meeting with the president and the members of this company, and I explained to them which aspects of their method of slaughter were in conflict with Islâmic law. I described the method of slaughter in Islâm to them and I made a special request to them to adopt this method because of the great number of chickens which they export to Muslim countries.

Thereafter, the president of the company said to me, "Our company is completely prepared to adjust our method of slaughter so that it can be in accordance to Islâmic law. We can change the instruments used to slaughter and hire a Muslim to carry out the slaughter. However, we will only do this when we are given an advance order for the number of chickens which need to be exported. In light of this, we will be able to adjust the slaughter so that it can be in accordance to Islâmic law."

After we left the office of the company, I explained to the president of the Muslim Organization with wisdom and clarity that he was making a mistake by certifying that the meat was slaughtered in accordance to Islâmic law. I appealed to him to stop doing this and to personally supervise the slaughter or appoint someone to supervise it so that the slaughter could take place according to Islâmic law. He promised me that he would do so. Allâh knows best.

The Sadia Awiysata Company And Chickens

This is one of the largest companies in the world for cow and chicken meat. It has more than 20 branches in the Brazilian States, and it exports to Saudi Arabia and the Gulf States. It has new slaughterhouses in Sao Paulo, Guiaba, Porto Alegre, Campo Grande, and Rio de Janeiro. It exports almost 300 tons

of chicken in one month alone. Sadia receives a certification that the meat was slaughtered according to Islâmic law from some Islâmic organizations in Sao Paulo. The most famous of these organizations is the Santo Maro Islâmic Organization and the Al-Jâmiyat Al-Khayriyyah Al-Islâmiyah. The company gives them a fee in exchange for their certification.

The method of slaughtering animals in this company is different from the method used by the Princisa Company mentioned above. Firstly, the chickens which are hanging from their legs on the moving machine are slaughtered with less haste, ensuring that the two jugular veins are cut most of the time. However, the unlawful factor still remains, i.e. the slaughtered chicken is placed in boiling water before it dies. Similarly, there is no guarantee that the slaughterer of this company is a person from the people of the book. All this was regarding the chickens slaughtered by this company. I would like to draw your attention to the following observations regarding the cows slaughtered by this company (Sadia) and their export to Saudi Arabia:

On Sunday the 20th of Rajab (June 25) 1398 A.H., I went to the city of Guiaba, passing by the cities of Presidente and Campo Grande. On Thursday the 29th of Rajab 1398 A.H., I went to visit this company with the president of the Muslim organization in the city of Guiaba, Khalid Al-Qarâ'vi and the secretary, Faysal Fâris. We held a meeting with the president of the company, Adison Jawaw Franseycon and a group of supervisors. I explained to the audience the benefits of slaughtering animals according to the Islâmic method.

The president of the company told me that they used to stun the animals using an electric shock and they would remove their

skins without draining the blood. They discovered that the meat slaughtered in this way spoils very quickly, even if it is kept in refrigerators. The color also quickly changes to a dark ash-gray. The veterinary doctors of the company advised them to slaughter the animal in such a way that all the blood is drained out. I interrupted him by saying, "The blood will only completely flow out by cutting the two jugular veins and the blood will not completely flow out from anywhere else." The head of the company said, "We now use this very method for the 1500 cows which we slaughter every day for export."

I requested him to show me their method of slaughter. They made us wear special suits and took us into the slaughterhouse. The slaughterhouse was extremely large and had many separate sections. At the entrance, the bulls are driven to a narrow place which is sealed off so that that they cannot escape. A person stands with a hammer in his hand and he hits the bull on the head without killing it. This is done so that the bull loses consciousness and can be slaughtered with ease. It falls to the ground and within a few seconds, an automatic hook raises it up with its head upside-down. Thereafter, a person comes with a knife and he cuts the skin of the neck in order to reach the jugular vein. Then, he uses a larger knife to cut the jugular vein. After this, the blood starts flowing out abundantly until the animal dies, as if it is pouring from a faucet.

The main issue which needs to be discussed in this method of slaughter is the non-fatal blow given to the animal before the slaughter; can we use analogical reasoning *(Qiyâs)* to apply the permissibility of hitting an animal which runs away and cannot be subdued to this blow given to the animal in slaughterhouses? Also, is it permissible to tear the skin of the neck before cutting

the two jugular veins, and is the slaughterer from the people of the book or a pagan?

When I asked the president of the company as to how they receive the written certification that the slaughter took place according to Islâmic law, he said that this is done by an Islâmic Organization in Sao Paulo. Thereafter, I asked him that how is this possible when there is a distance of 1800 Kilometers between you and them?

The Argentinean Company For Exporting Sheep

I stayed in Buenos Aires, the capital of Argentina, with Shaikh Sâlih Al-Mazru' and Doctor Ahmad. This was one of the most important parts of our journey through the Latin American countries. We visited the Argentinean Sheep Company which exports sheep meat to Saudi Arabia after canning it, pounding it, and cutting it.

In the morning of Thursday 10 Dhul-Hijjah 1398 A.H., we went to the company's headquarters with a delegation from the Islâmic Center of Argentina and we observed their method of slaughtering sheep. We saw that a machine raises the sheep up and there is a person standing with a sharp knife to slaughter the animal completely in accordance to Islâmic law because he cuts the two jugular veins and the esophagus together. However, the validity of this slaughter in Islâmic law is based on whether or not the slaughterer is a person from the people of the book. The Islâmic Center of Argentina gives a written certification on every carton of sheep that it was slaughtered according to Islâmic law. (You will find enclosed a sample of a certification made by this Islâmic Center).

The Denmark Meat Company

This company is in Denmark and not in Brazil. However, for benefit's sake, I have included an article from the magazine, Al-Watan Al-Araby, which is printed in the Arabic language in the heavily Arab-populated city of Paris, France. This article has been written by an Arab who is working in Denmark and whose name is Muhammad Al-Abyadh Al-Maghriby. He works in a factory which cans meat, and he says that they write on all the meat and chickens exported to Arab countries that it was slaughtered according to Islâmic law. However, he says that this is incorrect because the animals are killed by an electric current under all circumstances.

To the attention of the head of the Committee

After giving a description of the method of slaughter in Brazil, I am pleased to tell you about the Islâmic Center of Brazil which was established through the sacrifices of the Arab Embassies and the Muslims. Up until now, it does not have a strong influence and a permanent leader. This center built an Islâmic school for the Muslims in Brazil, and within a short period of time they closed it down and handed it over to some Brazilians to start a Brazilian School – yes, a school which would be Brazilian in methodology and administration - without imposing any restrictions or conditions on them. The organization did this because of their fear of establishing any sort of presence in those matters which affect Muslims in the area. This is the same organization which has resolved to personally supervise the method of slaughter. It will be great if this truly does happen, but how is it possible for them to take the responsibility of supervising when there is a distance of hundreds of miles between it and the slaughterhouses, and

when it has no employees or workers there to appoint for this purpose?

Because of this, I suggest that you obtain the names of the exporting meat companies, their addresses, and the names of the importers through the Saudi Ministry of Commerce. This will allow you to appoint some of the delegates which are sent from Saudi Arabia to Brazil for the purpose of spreading Islâm to visit these exporting companies. Thereafter, they can study the feasibility of appointing a Muslim living in these cities to personally slaughter the animals or to supervise the slaughter in exchange for a wage which will suffice for his needs and allow him to free himself for this task. The company or the importer will be responsible for paying this wage. In this situation, your delegate will be able testify that the slaughter took place under his responsibility and with his knowledge, under the supervision of so-and-so whom he relied on to free himself for this task and to live near the slaughterhouse. In this way, all the efforts will be united and we will have - if Allâh wills - a leadership which can be trusted upon to supervise all aspects of the slaughter.

Even our Israeli enemies send special Jewish envoys to countries from which they import meat to carry out the slaughter themselves and to settle down permanently near the slaughterhouses in exchange for a wage from the importing companies. A group of them have already come to Sao Paulo, Rio de Janeiro, Curitiba, and other Brazilian cities for this very purpose. Similarly, there are people of Jewish origin living in Argentina for this objective, and they receive their wages from the importing companies. Allâh knows best. May Allâh send his special mercy upon Muhammad ﷺ, his family, and all his companions ﷺ.

Your student,
Ahmad Sâlih Mahâyiri

A Summary Of The Above-Mentioned Letter

A. The Method Of Slaughtering Chickens In The Princisa Company

1.The chicken is hung by its legs and an automatic machine takes it to a person with a knife. This person cuts the neck with extreme quickness. Thereafter, the machine brings it to hot water and the chicken is immersed in this water in order to remove its feathers and to clean it. Lastly, the chicken is prepared for export.

2. Sometimes only one of the two jugular veins is cut, and sometimes the animal is immersed in the hot water before it dies because of the speed of the slaughterer and the machine.

3. I have doubt whether the slaughterer is a Muslim, a person from the people of the book, pagan, or a heretic.

4. It is written on the package that the chicken was slaughtered according to Islâmic law, and this certification is given by someone who neither personally witnessed the slaughter and nor did they appoint someone to witness it. The certifying organization receives a wage in exchange for this certification. This is done because of the fact that the Ministry of Commerce requested the importers to have something written on the package which establishes that the animal was slaughtered according to Islâmic law.

5. I asked the head of the company to modify the method of slaughter so that it can be according to Islâmic law. He agreed on condition that we first inform him of the quantity of chickens which we require.

B. The Method Of Slaughter In The Sadia Awiysita Company

1. The method of slaughter in this company is similar to that of the previous company. The chicken is hung by its legs and immersed quickly in hot boiling water before it dies. Similarly, it is written on the meat cartons that this was slaughtered according to Islâmic law, and two Islâmic Organizations give this certification in exchange for fees. The skin of the neck is slowly cut, and thereafter, the two jugular veins are cut in most cases. Another issue is whether the slaughterer is a person from the people of the book or a pagan.

2. The cows first used to be stunned with an electric shock and thereafter, they would be skinned without any blood being drained from the body. When the doctors of the company began telling them about the harms of the blood remaining in the animal's body, they started hitting the animal in the head using a hammer without killing it. When it would fall, a machine would raise it up in the air. Thereafter, the skin of the neck would be cut with one knife and a different knife would be used to cut the jugular vein. The blood would flow abundantly from the animal until it would die. The issue of the slaughterer and the certification is the same as that of chickens (mentioned in #1 above).

C. The Method Used By The Argentinean Company To Slaughter Sheep

1. A machine raises the sheep up and a person cuts the two jugular veins and the esophagus using a knife according to Islâmic law.

2.The Islâmic Center of Argentina certifies the slaughter.

3. The condition of the slaughterer is unknown.

D. The Method Of Slaughter In Denmark

Muhammad Al-Abyadh lives in Denmark and he works in a factory which cans meat. He says that they kill sheep using electricity under all circumstances. They write on the cartons that this was slaughtered according to Islâmic law.

I suggest that a person should be sent to these places to personally slaughter the animal according to Islâmic law or to supervise the slaughter. The Jews do this to ensure that the slaughter takes place according to Jewish law. We are more rightful in doing this than them.

Meat imported from London and France

A letter from Sheikh Abdullah Ibn A'li Al-Ghaddiyah of Al-Qasim (Saudi Arabia) regarding the meat imported from London and France

I have tried to get more information regarding how the chickens which are exported from London are slaughtered. I contacted the head of a company which makes automated machines for slaughtering with the pretext that I wanted to establish a slaughterhouse in Saudi Arabia. He gave me an illustrated catalogue of the slaughterhouse which is run by his company.

When he began to explain their method of slaughter to me, I said to him that the chickens are packaged without having their heads cut off. Thereupon, he asked me, "Why would you cut off its head?" I replied that in the Middle East we do not eat the heads of birds.

I wish to present to you a photograph of the slaughterhouse. The first step of the process is that the vehicle stops near the entrance of the slaughterhouse, as you can see in the translated photograph. Then, the chickens are unloaded and hung by their legs. They pass through a rotating machine which opens up from the middle and the heads of the chickens are taken through this machine. It is written on this catalogue that the chickens are slaughtered using the stunning method in which a strong burst of air hits the head of the chicken, causing it to lose its hearing and sight. After being hit by this air, the chicken is on the verge of death.

It is then taken to another machine where blood and other liquids are left to flow of the animal if they have come out. Thereafter, the chicken passes through a machine which runs on steam vapor or extremely hot water, and it dies in this machine if there is still any life left. It is taken out from this machine and taken to another machine which plucks its feathers and cleans it. Lastly, it is packed in nylon bags and placed in cartons, upon which it is written in Arabic, 'slaughtered according to Islâmic law.'

This is a small slaughterhouse which slaughters 2,000 chickens per hour. The person who I spoke to told me that they use the same method in France, except that there they place the chickens in large freezers when they reach an age in which they can be slaughtered and they take them out from the freezers

according to demand. Obviously, the chicken is already dead when it is taken out for use. Thereafter, the chicken is placed in a pond filled with hot water in order to remove the feathers and get it ready for export. I did not personally witness this, but some people who traveled to France and America have related this to me.

I hope that you will be able to confirm what I have said once someone takes on the responsibility of investigating their method of slaughter, finding out the truth, and giving you a description of their slaughterhouses. I ask Allâh that He suffice us with that which He has made lawful from that which He has made unlawful, and that He improves the situation of the Muslims. I also ask Allâh that He rectify the situation of the Muslims both as rulers and subjects. May Allâh protect you and send His blessing on his Prophet, Muhammad ﷺ.

Imported Chickens

The magazine, Ad-Da'wat As-Sau'diyat published an article in its 676th issue on the 27th of Dhul-Hijjah 1398 A.H. under the heading, "News regarding imported chickens."

Whoever goes to our markets and grocery stores will definitely find a great number of imported chickens which have been slaughtered outside of our country and have only reached us long after being slaughtered. It is written on the container that the chickens have been slaughtered according to Islâmic law. Can you say that this meat is lawful merely based on this certification without any inquiry or investigation? Is a Muslim not ordered to stay away from all doubtful things because of the Hadîth of Rasûlullâh ﷺ which tell us to "leave that which puts

you in doubt for that which does not put you in doubt,"[117] and the Hadîth which says, "The lawful things are clear and the unlawful things are clear. Between these two lie the doubtful things, and whoever stays away from them has exercised caution for his own religiousness."[118]

While writing this letter, I came to know of an article published in the magazine, Al-Mujtami' issue number 414 on the first of Dhul-Qa'da, 1398 A.H., on page 20 under the title, "The slaughter of chickens in Denmark." This article was written by the Organization of Muslim Youth. The summary of this article is that chickens of Denmark are not slaughtered according to Islâmic law and are unlawful for a Muslim to consume even if it is written on the carton that these chickens have been slaughtered according to Islâmic law. It is a well-known fact that thousands of chickens are slaughtered there. I wish to present a description of a slaughterhouse which slaughters chickens. This is one of the smallest slaughterhouses in Europe and it produces two thousand chickens per hour.

An Account Of How I Obtained A Diagram Of This Slaughterhouse

I was in London in the beginning of this year and I had a desire to visit a slaughterhouse which specializes in chickens. Therefore, I made an agreement with an English company to

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[117] Translator's note: Imâm Tirmidhi has said this is a hasan sahih hadîth (2518)

[118] Translator's note: This hadîth is narrated in Sahîh Bukhâri (52) and Sahîh Muslim (4094)

take me to visit a slaughterhouse in exchange for an admission fee of 150 pounds. I took along a translator and we went to a suburb of London. Although it was some distance from the city, we were able to reach there quickly by car. When we got there, I realized that I had been tricked because this was not what I wanted to see. I had made this request to them on the pretext that I was a Saudi Businessman for an organization in Saudi Arabia and I wanted to set up a factory where chickens are slaughtered and canned automatically in accordance with Islâmic law. It was clear by their actions that they did not want anyone to come to know about their method of slaughter. This is the same thing which happened to the Muslim Youth in Denmark; they tried on numerous occasions to find out how the animals are slaughtered, but were not allowed to do so. If the method of slaughter really is in accordance with Islâmic law as they say, they would have readily disclosed this information.

Coming back to our topic at hand, we entered a small area in which 10 Pakistani Muslims were slaughtering chickens using their hands, a method which is common to us here in Saudi Arabia. They place the chickens in hot water and then pluck their feathers according to the normal method which entails using a drum which runs on electricity and has soft rubber grips to strike the chicken with force in order to remove its feathers. This machine is common and we also use it in Saudi Arabia. After seeing this, I realized that these people were working for a Pakistani businessman who is an active Muslim. I had met him before in his neighborhood and at the Islâmic Center of London. He slaughters chickens and sheep for the Muslims of London and sells it to them. We also used to buy meat from him.

I said to the translator, "We also use this method of slaughter in Saudi Arabia, i.e. the animals are slaughtered by hand and their feathers are plucked by a machine." The evil Englishman said, "I know that he is a Muslim from Saudi Arabia and that it is not possible for him to establish a slaughterhouse for chickens in Saudi Arabia which is similar to ours in Europe because the laws of his country would not allow him to do this. . ."

I said to him, "My desire is to see an automatic slaughterhouse and this is not connected in any way to what I plan to do in Saudi Arabia." He said, "Good, a second trip can be scheduled for him to an automatic slaughterhouse for chickens." This was two days before my return trip to Saudi Arabia, so I said to him, "I am going to travel soon and my time is almost up since a month has already passed. I would like to have a catalogue of the automatic slaughterhouse which I can study." He gave me a catalogue from a bag which was with him. He said, "This is a small slaughterhouse which requires only this much electricity, this much land, and so many workers and water. It slaughters and packages 2,000 chickens per hour." I took the catalogue. (I have enclosed a copy of it for examination and I have made 15,000 photocopies of it)

Some Points Regarding The Slaughterhouse

1. A vehicle brings the chickens from their coops, and often, some chickens die in their coops before they can be taken out either due to the cold or other factors. Some also die during the loading or during the offloading. It is a common fact that chickens die very easily.

2. As it is clear from the diagram, the chickens are hung from their legs and their heads are attached to a conveyor belt. Then, they are mechanically taken to a machine on the bottom of which it is written, 'through the process of stunning.'

3. There is a pond near this machine which gathers any liquids which come out of the body.

4.The main issue of contention is the large plunge bath on the side of which it is written, 'a machine which can severely burn.' This machine either runs on steam or hot water, and the poor chicken is plunged into this machine in order to finish off the last remnants of life. The chicken comes out as a motionless corpse after being choked, dealt a violent blow, and falling from a high place, whereas Allâh says, "Prohibited for you are dead animals (animals which died without being slaughtered), blood, the flesh of pigs, and that which has been dedicated to others than Allâh, and [those animals] killed by strangling, or by a violent blow, or by a headlong fall, or by the piercing of a horn, or those from which a wild animal has eaten, except what you [are able] to slaughter [before its death]."[119] Many parts of this verse apply to this chicken.

Next, the feathers of the chicken are plucked and the insides are cleaned. After this, the chicken is wrapped in a carton on which it is written, 'slaughtered according to Islâmic law.' The respected reader should note that the chicken entered the slaughterhouse and came out dead with its feathers plucked, insides cleaned, and feet cut off. However, the head of the chicken which has remained with it from the time Allâh created it is not cut during the slaughter and is only cut before being

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[119] (5:3)

exported to the Middle East. I told the Englishman as I was coming out of the slaughterhouse that the head of the chicken is still intact. He said to me, "Haven't you seen that we leave the heads of animals and birds and we do not cut them?" I later saw myself that the heads of the slaughtered animals and birds were still attached to them as they were being displayed for sale.

Anyone who visits England or any other European country can verify this fact. They slaughter in this manner because they consider the Islâmic way of slaughter to be uncivilized, illogical, and contrary to established thought. Similarly, they do not allow the blood of the animal to flow because they claim that this will decrease the weight of the animal. You will notice that the chickens which are imported seem to be blown up, whereas the chickens which you personally slaughter weigh less. They choose not to drain out the blood because they want to get maximum weight out of their chickens, which will in turn yield maximum profit.

What do our honorable scholars have to say regarding this? I have written a detailed description of what I witnessed in England for those who are concerned amongst you, and the most important issue is the chickens. It is not appropriate for a scholar to remain silent on such a critical issue such as the food and drink which is mostly imported from the countries of disbelievers. I requested that some people should be appointed to find out the truth behind this matter and not just suffice on the claims of the businessmen and importing companies that this meat was slaughtered according to Islâmic law. After such an investigation, people will know whether to eat this food or not.

It is not correct to solely base one's view on the verse, "And the food of those who were given the Scripture is lawful for you" because Islâmic law has explained the correct interpretation of this verse. An animal which has died without being slaughtered, an animal's blood, an animal which was strangled to death, an animal which died as a result of a headlong fall, and an animal which was killed by the piercing of a horn is unlawful if it is not slaughtered according to the Islâmic law along with the recitation of the name of Allâh before it dies. If [these animals are unlawful] even if they are in the possession of a Muslim and in a Muslim country, then what will be the case of animals and chickens which have been killed in one or more of the ways mentioned above in non-Muslim countries and in the possession of people who have completely left their religion? Some of them are atheists and others are laymen. Most of their youth have become Communists. Along with all this, they do not even slaughter according to Islâmic law and do not recite the name of Allâh.

It is an accepted fact that an the animal becomes unlawful to consume when a Muslim slaughters it in a manner contrary to Islâmic law – for example, by strangling the animal or killing it with a violent blow - even if he recites the name of Allâh. Reciting the name of Allâh is a condition for the slaughter to be valid in Islâmic law. The magazine, Al-Mujtami' published many articles in this regard. The last such article was the 414th issue dated Dhul-Qa'dah 1398 A.H written by the Voice of the Organization of Muslim Youth in Denmark. The summary of this article is that the chickens slaughtered in Denmark are not slaughtered according to Islâmic law and are unlawful to consume.

A Letter from Greece

A letter from the delegate of the Center of Da'wah (Islâmic Propagation) in Greece, Jamâl Ibn Hâfiz Idrîs Al-Yunâni

In the name of Allâh, Most Gracious, Most Merciful

From: Jamâl Ibn Hâfiz Idrîs, delegate to Greece
To: The Honorable Sheikh, Abdul Aziz Ibn Abdullah Ibn Bâz
Peace be upon you and the mercy of Allâh and His blessings
I received your respected letter in which you requested a description of the method of slaughter. I visited some famous places in Greece and the following is an account of what I saw:

1. There are some places where they slaughter the animals in the same way which we slaughter, i.e. the animals are slaughtered and after the blood flows out, they are skinned and cut.

2. Large animals are hit on the head with an instrument similar to a pistol, causing them to fall to the ground. They are then slaughtered before they die. In this method, there is a doubt as to whether the animal died before its blood flowed (during the slaughter) or after. The method used to slaughter chickens is that the feathers are first plucked and thereafter, they are slaughtered by automatic machines.

I was informed by a doctor that it is possible to know whether or not an animal was slaughtered according to Islâmic law by looking at the bones of the animal at the time of eating. If the color of the bones is white, then this is a strong indication that the blood of this animal was completely drained and that it was slaughtered according to Islâmic law. However, if the color of

the bones is black, then this is an indication that the animal was not slaughtered according to Islâmic law.

I only visited places in Greece because of the ambiguity in your respected letter with regards to places outside Greece. I could not figure out if you wanted me to only visit places in Greece or if you wanted me to visit places outside Greece as well. I hope that you can clarify this matter for me. I am ready to visit many other places if you so desire. May Allâh grant you longevity in your life and inspire you to do that which is best for Islâm and Muslims. May peace be upon you and the mercy of Allâh and his blessings.

Your chosen student,
Jamâl Ibn Idrîs Al-Yûnânî

A Summary of this Letter

There are two methods of slaughter:

1. One method of slaughter is carried out in accordance to Islâmic law.

2. The other method of slaughter is that large animals are hit in the head with a captive bolt pistol, causing them to fall. After this, they are slaughtered. There is an element of doubt in this method of slaughter as to whether the animal was alive at the time of slaughter or not.

A Letter From London

A letter from Suhayb Hasan Abdul Ghaffâr, delegate to London

In the name of Allâh, Most Gracious, Most Merciful.

I would like to request the members of the respected Fatwâ committee which is responsible for scholarly discussion and da'wah to pass a fatwâ regarding the meat imported from foreign countries. I am making this request after having personally witnessed the method of slaughter in foreign slaughterhouses, after having read a beneficial letter published by the Al-Mujtami' magazine of Kuwait, vol. 414 in the first of Dhul-Qa'dah, 1398 A.H, and after coming to know of the harmful effects of this method of slaughter according to the research of some Muslim doctors in England.

The Method Of Slaughter In British Slaughterhouses

1. Sheep and cattle

Sheep and cattle are taken to a special place where there is a person assigned to give the animal an electric shock using a special instrument similar to a pair of scissors. This instrument is placed on the forehead of the animal and causes it to lose its senses and fall to the ground. There is also another method which many slaughterhouses regularly use, and it is to hit the animal on the head with a metal hammer, causing it to fall to the ground unconscious. Then, the animal is hung upside-down using a hoist and taken to the slaughterer.

Certain slaughterhouses hire Muslims to slaughter a fixed number of animals only for the local Muslim consumption, and when the slaughterer is Muslim, he slaughters the hanging animal using a sharp knife in the same way which is common amongst Muslims. The blood is drained from the animal and it is taken to the next phase of the slaughtering process in which it is skinned and cut. When the slaughterer is a non-Muslim, he thrusts the knife in the side of the neck and he pushes it out towards the front with force.

2. Chickens

The chickens are also stunned using an electric shock, but the method of delivering this shock is slightly different, i.e. they are placed in water containing an electric current. The neck of the chicken is then pierced with a sharp automatic knife in order to make the blood flow. This continues until the remaining phases of slaughter are complete, including the plucking of the feathers and the cleaning of the insides. Finally, the chicken is ready for export.

3. The Outcome Of Implementing This Method

Foreign slaughterhouses have implemented the method of slaughter described above to display their compassion for animals in accordance to the demands of animal rights groups. However, it is obvious that the real motive of these westerners is to produce more meat in a shorter period of time. In other words, they want to gain huge profits. A group of Muslim doctors have undertaken a comprehensive study regarding this meat, as can be seen in the book written by Doctor Ghulâm Mustafâ Khân, the head of the Organization of Muslim Doctors in Britain, and in the article written by Doctor Muhammad

Nasîm, the head of the Masjid Committee of Birmingham. The following are some of the observations which they have made:

1. Stunning the animal before slaughter causes slackness in the animal and contractions in its heart, causing the amount of blood which comes out of the animal to be less than normal. It is an experienced fact that the taste of the meat of an animal whose blood was completely drained out is different from the taste of the meat of an animal which still had some blood remaining in its body. A supervisor of a large Islâmic slaughterhouse in Birmingham informed me that some Englishmen prefer to eat the meat of animals slaughtered in the Islâmic way because of its distinguished taste in comparison to other meat.

2. The electric shock does not fulfill its purpose in all cases. For example, if the intensity of the shock is too low for the large size of the animal, then the animal is left semi-paralyzed without losing its senses. It then experiences two pains; one from the electric shock or the captive bolt pistol, and the other from the slaughter. On the other hand, when the electric shock is too strong for the animal, the heart of the animal stops and it dies. Such an animal will be considered to be slaughtered in an un-Islâmic manner and will be unlawful to consume under all circumstances.

3. The method of slaughter used by Muslims is far more humane and merciful to the animals because a sharp knife is used and the slaughter takes place very quickly. It is an established fact that an animal feels pain through the nerve veins beneath its skin, and it experiences less pain in the Islâmic method. It is also a well-known fact that the heart of an animal which does not lose its senses during the slaughter plays

a greater role in pumping the blood out of the body, as has already been mentioned.

Summary

1. Cows are stunned either by using an electric shock or by hitting them on the head with a hammer.

2. Muslims are hired to slaughter a specific amount of animals for the local Muslim consumption.

3. The non-Muslim slaughterers thrust the edge of the knife in the throat in order to cut the vessels and thereby cause the blood to flow.

4. Chickens are stunned using an electric current, and their necks are then pierced using a sharp automatic knife in order to remove the blood.

The Harmful Effects Of This Method Of Slaughter

1. Stunning the animal before the slaughter creates weakness and contraction in its heart. This causes less blood to come out from the animal, which in turn leads to less food value from its meat and less enjoyment from its taste.

2. When the intensity of the electric shock is low, the animal feels the pain of both the shock and the slaughter. If the intensity is high, then the animal can die before the slaughter because of heart failure.

3. The claim that stunning the animal is more humane is incorrect. The real objective is to slaughter more animals in less time in order to maximize profit.

A Letter From Shaikh Abdul Qâdir Al-Arnaût, Delegate To Yugoslavia For Da'wah

In the name of Allâh, Most Gracious, Most Merciful

From: Abdul Qâdir Al-Arnaût

To: The respected Abdul Azîz Ibn Abdullah Ibn Bâz, may Allâh protect him from all evil, save him from all undesirable things, and guide him to the goodness of this world and the hereafter.

Peace be upon you, Allâh's mercy, and His blessings; a salutation from Allâh which is blessed and pure.

I hope from Allâh that you are well and in security. I am sending you this letter from Yugoslavia in answer to the letter which you sent to me on 21 Jamâd Ath-Thâni, 1398 A.H. I have studied the issue of meat in Yugoslavia and I will write a summary of my findings for you.

Both the Muslims and non-Muslims slaughter sheep, cows, and goats with their own hands in accordance to Islâmic law in the villages and in specific areas. The Muslims also slaughter animals in Sarajevo, the capital of Bosnia Herzegovina - which they also call the Islâmic Republic - but they use a more modern method. They hit the cow lightly between the eyes using a captive bolt pistol, causing it to drop to the ground. Then, they take the animal while it is still alive and place it in

under a sharp instrument known as the guillotine. They cut the head off and place the animal in a machine which processes the meat until it finally comes out packed in tins. There is nothing doubtful about this method either. It is written on the cans, 'processed in Sarajevo.'

In cities other than Sarajevo, the slaughterer is sometimes a non-Muslim, either a person from the people of the book or a Communist. My observation is that most of the people who claim to be Communists are only Communist by name and they do this out of material gain. The Communists do not carry out the slaughter themselves. It is as if they also agree that meat spoils quickly and causes harm to a person who eats from it if the blood of the animal remains in the body and does not flow. This is the case when the animal is hit on the head and killed without cutting its throat. However, they sometimes use one set of tools to slaughter pigs, and then they use the same set of tools to slaughter cows and other animals. This is the one unlawful aspect of their method of slaughter, and I was unable to verify whether it is true. One person told me that they slaughter pigs in special areas and that they slaughter cows in other areas. If this is the case, then this unlawful factor will no longer remain.

In conclusion, it is best to eat the meat tins from the Muslim city of Sarajevo. The animals which are sent to outside cities - such as cattle and sheep - are also slaughtered according to Islâmic law just as in the villages. Similarly, Muslims also slaughter in accordance to Islâmic law in the Muslim city of Sarajevo. In other cities, the slaughter is carried out by Muslims and a very small number of Communists who are Christian Catholics and whose main objective is material gain. Their communism is not a religion, but a job and a means of personal

benefit. As I mentioned before, the factional materially-oriented heretic communists generally do not concern themselves with such tasks which they consider to be menial (such as slaughtering animals).

The animals are slaughtered, their heads are cut, the impure blood is made to flow, and they are exported to Arab Countries. The Bosnians pay particular attention to the slaughter when they know that the animal will be exported to other countries.

I hope you remember us in your pious duâs and I ask Allâh that He make both you and I His special friends. I also ask Him to strengthen the people of truth and help us to carry out our responsibilities in the best manner. Definitely, He is all-powerful to do as He wishes and is ever-ready to accept duâs (invocations).

Your brother,
Abdul Qâdir Al-Arnaût, Yugoslavia

A Summary

1. The people of the villages slaughter sheep according to Islâmic law using their hands in certain areas of the country and the slaughterer is a Muslim.

2. In Sarajevo, the capital of Bosnia-Herzegovina, Muslims also slaughter animals according to Islâmic law. The only difference is that they give the animal a light electric shock with a captive bolt pistol in order to make it fall to the ground. Thereafter, they take the animal while it is still alive and put it under a guillotine. They cut off its head, causing its blood to

flow. Then, the meat is canned and it is written on the carton that this meat is from Sarajevo.

3. In other cities, the slaughterer is sometimes a non-Muslim, either a person from the people of the book or a Communist. These people are not Communists in reality, but are Communists only by name because of their jobs or out of personal benefit.
4. The animals sent to outside countries are also slaughtered according to the Islâmic way at the hands of Muslims as in the villages.

5. The animals are sometimes slaughtered using the same tools which are used to slaughter pigs.

6. To sum it up briefly, one is advised to purchase the meat tins which where slaughtered in Sarajevo because of the reasons that were mentioned above.

An Article on Unlawful Food

The magazine, Ad-Da'wat, of Riyadh published an article written by Doctor Mahmûd At-Tabâ' of Abha in issue number 673, dated 21 Dhul-Qa'dah 1398 A.H. under the title of 'So that we don't eat unlawful food.'

Peace be upon you, the mercy of Allâh, and His blessings.

I read an article in the magazine, Ad-Da'wah, volume number 667, dated 9 Shawwâl 1398 A.H. that was written by Abdur-Rahmân Al-Ismâi'l – May Allâh reward him – under the title, "So that we don't eat unlawful food."

I wish to relate to you the following. My name is Doctor Mahmûd At-Tabâ'. I am a veterinarian who studied in West Germany. During the beginning of my studies, my Muslim friends and I were faced with the issue of slaughtered meat; is it lawful to consume it or not? I went with a group of friends to observe the method of slaughter in a slaughterhousc in the city of Hanover. We saw the slaughterers come to a herd of cows and shoot them on the head with a special type of gun. After all the animals fell to the ground motionless, the workers wasted almost 40 minutes taking a break.

Then, they went and hung the hind legs of the animals onto moving cranes. They cut the heads of the animals and removed the skin. Next, they cut the cows into two pieces and washed them with water after removing the limbs and intestines. The color of the water was red due to the blood. We verified that all the cows were dead before the workers finished their break and began to cut their heads, making them unlawful in our religion. We informed the other Muslim students about this and we described what we saw to them. However, it is very unfortunate that most of them were still eating pork, let alone unlawful meat.

Doctor Mahmûd At-Tabâ'
Abha, The general administration for city and rural matters in the South

Summary

He saw that the slaughterers in West Germany shoot the cows on the head, then take a break, and cut the heads of the animals after they had stopped moving. The doctor verified that the animals were slaughtered after they had already died.

Chickens Slaughtered In Denmark

The magazine, Al-Mujtami' from Kuwait published an article in vol. 414 written by the Organization of Muslim Youth in Denmark. This article is dated 1, Dhul-Qa'dah, 1398 A.H. and is titled, 'The status of chickens slaughtered in Denmark in Islâmic law.'

In response to the numerous requests which we have received from the Muslims of Arab Countries asking us to verify the method of slaughter for chickens and other animals which are exported from Denmark, we obtained the following findings after studying and researching this issue within Denmark.

An official source has told us that the Qadiyâni[120] group has been trying to represent Muslims and Islâm in this country since the inception of this group in 1967. They have been certifying the meat and chickens exported to Muslim Countries and have been collecting fees from the exporting companies in exchange for this certification. We have also found that the Islâmic Embassies in Denmark and in the rest of the world are doing nothing to represent the Muslims. Instead, they represent the rulers who come to power and are removed from power. On top of that, these Embassies are only worried about following the etiquettes of diplomacy in their meetings. In order to avoid generalization, we will say that there are a small number of workers from these embassies whom Allâh has guided to hold fast to the teachings of Islâm and not be affected by outside influences.

[120] Translator's note: The Qadiyânis are a group who claim to be Muslim and they believe Ghulâm Ahmad Qadiyâni to be a prophet. They refute the finality of the prophethood of Rasûlullâh ﷺ.

We have also come to know in the past few years that some companies have been using means of deception to sell the chickens of Denmark to Muslim Countries. One such ploy is to install tape recorders containing cassettes of the recital of the Qurân inside the slaughterhouses, assuming that doing so will make it lawful for us to consume this meat. Similarly, some of them try to pull the wool over our eyes by appointing one or more Muslim workers in the slaughterhouses to carry out basic menial tasks which are not connected in any way to the slaughter. Even if a Muslim were to be assigned to slaughter, it would not be possible for him to slaughter the thousands of chickens produced every day and every hour. Libya was one of the first countries which came to know of this deception inside Denmark and outside of Denmark, and they completely stopped importing meat and chickens from Europe. Allâh knows best if this ban is still in effect.

During the last ten years, the majority of Muslims have not been concerned about the issue of the chickens which are imported from Europe because of its insignificance in comparison to the difficulties afflicting the Muslims and the plots which were planned in the past and continue to be planned against Islâm. However, there have been some Muslims who have tried to promote this meat based on the fact that this is food from the people of the book. We do not accept this view because we can see around us that adultery, nudity, alcohol, gambling, homosexuality, breaking of family ties, disobedience of parents, interest, and other evils and major sins are all permitted by the local man-made laws. Therefore, there is no way to consider these people to be people of the book. In reality, these people are closer to being communists and pagans than they are to being Christians.

As a result of the great confusion regarding this issue and the need to fully investigate this matter, our organization sent a letter to each slaughterhouse in Denmark which exports chickens to other countries. This includes 35 slaughterhouses for chickens and birds.

The following is a translation of this letter:

"Since we are an Islâmic Educational Organization in Denmark, we have received a number of inquiries in the last few months from Muslims both in Denmark and outside of Denmark regarding the method which is used to slaughter chickens and birds which are exported to Arab Countries. It is very important for us to get a satisfactory answer to these queries because Muslims require that the method of slaughter be in accordance with the laws revealed in the Holy Qurân. Because of this, we hope that you can allow 3-4 members of our organization to visit your slaughterhouse in order to observe your method of slaughter.

In the same way, we would like to publish the results of our findings in the future in our famous magazine, As-Sirât, so that Muslims can come to know of this information. This will be done without mentioning anything negative about your company. We hope that you can send us a reply as soon as possible."

Upon receiving the replies, we found out that some of these slaughterhouses do not export to Muslim Countries at all and these slaughterhouses did not prevent us from visiting their premises. However, the companies which export to Muslim Countries did not cooperate with us in the least bit in allowing us to visit their premises. Some of them told us flatly that we were not welcome there. Others tried to refer us to the

committee for exporting chickens and birds in order to discuss the matter with the rationalization that this committee is the authority which represents them and is responsible for dealing with all issues relating to slaughter.

After contacting this committee and pleading with them for a long period of time, we were not able to get any help from them. They claimed that our organization does not represent the interests of Islâm and the Muslims in Denmark, and that they work with another Islâmic agency in Denmark which, according to them, represents Islâm because of its ties with the embassies of Arab Countries. This agency certifies that the chickens which are to be exported are slaughtered according to Islâmic law, knowing full well that the only difference between these exported chickens and the others is the label on the cover which states that this animal was slaughtered according to Islâmic law.

Upon further investigation, we found that this Islâmic agency was not run by the Qadiyâni group as had been the case for the last ten years. In fact, this agency had won the important function of certifying the exported chickens and wrestled it away from the Qadiyânis. They were also responsible for other tasks such as looking after the interests of the chicken companies, the interests of the Arab importers, and the interests of the embassies of Arab Countries who stand behind these companies.

After having a phone conversation with the head of the Committee for Export in Denmark mentioned above, we came to know of the following:

1. The slaughterhouses in Denmark are not concerned in the least bit about meeting the requirements of slaughter in Islâmic law, and the only information available to them regarding the Islâmic method of slaughter is what they obtained through spontaneous conversations with Muslim youth. Some of this information was contradictory, making them incorrectly assume that Muslims do not have established laws for slaughter in their religion.

2. The Arab importers are the ones who demand that it must be written on the label, 'slaughtered according to the Islâmic law' and they are the ones who prepare this label. The exporters of Denmark are willing to go along with this as long they are getting more business. The Islâmic Agency certifies this exported meat.

3. The normal method of slaughter is to stun the animal, as required by veterinary law, and then to cut off its head. Special permission is required for the animal to be slaughtered in any other way.

4. The most pressing issue for the companies of Denmark at the present time is the position of the embassies which represent the importing countries because they are the ones who are responsible for appointing an Islâmic agency to certify the slaughter. According to them, as long as this agency is certifying the slaughter, there is no benefit in having anyone else interfering in the matter. We asked the head of the committee to respond to the points which we had outlined in our letter. He promised to do so, then delayed doing so for a long time. In the end, we received a diplomatic response from him which did not at all address the issues which we had discussed over the phone.

It is clear from what we have mentioned above that the people responsible for this deception are not the exporting companies from Denmark, but the Arab importers and embassies who allow this evil to take place.

Based on this, we, the Organization of Muslim Youth in Denmark, wish to announce to all the Muslims in the world that the animals which are exported to them from Denmark are not slaughtered in any special way and they are slaughtered in the same way in which the animals sent to other countries are slaughtered (i.e. they are not slaughtered in accordance to Islâmic law). The method of slaughter is to first stun the animal and then cut of its head. The only difference between the meat exported to Muslim countries and the other meat is the Arabic which is written on the cover in order to deceive Muslims.

The solution

The main objective of this investigation was not to provide an Islâmic solution for the issue of imported meat, but to find out which method of slaughter is used in these slaughterhouses and to inform the Muslims so that they themselves can work towards a good Islâmic solution for the issue. We would like to mention a few points which should prove to be beneficial if they are kept in mind while searching for a solution:

During some of the discussions which we have been having with a slaughterhouse in Denmark for many years, some Muslims came to an agreement with them to have animals specially slaughtered for export to Islâmic countries. The company agreed to this request on the condition that the Muslims themselves provide them with Muslim workers and

guarantee that they would remain working there. While searching for Muslim workers, we discovered that this slaughterhouse is located in a small town far away from the large city, and this would discourage anyone from accepting this job because most foreign workers prefer to live in the capital or in a large city at the very least because of social factors. They are eager to be a part of a society because this allows them to easily understand others, share news, and pay social visits, whereas all of this is not found in remote towns. Therefore, sincerity and extreme sacrifice is required on the part of a few Muslims in order to fulfill this responsibility effectively.

Similarly, there is a need to send a delegation of Muslims who have insight regarding the method of slaughter in Islâm and possess special skills which will allow them to set up an Islâmic slaughterhouse for exporting to Muslim countries. Such a slaughterhouse should meet all the requirements of Islâmic law and modern technology at the same time. From our side, the Organization of Muslim Youth is ready to help begin preliminary talks with companies which produce tools for slaughtering and to make a deal with a consulting company and a planning committee to conduct a detailed study on the costs and requirements of such a project.

One last issue remains which is not related to the chicken itself, but to the Muslims who consume these chickens. It is a common fact that there are only a few people who try to consume only lawful food and the vast majority are not worried about what they eat. Rather, they sometimes even consider finding lawful food to be difficult. Unfortunately, this is the condition of the era in which we are living in; people first worry about fulfilling their desires and then they incorrectly

quote the verse, "Allâh is all-forgiving and extremely merciful."

Similarly, most of us would like to enter *Jannah* (paradise) and meet Allâh without gaining any knowledge, doing any good deeds, or undergoing the least amount of sacrifice. Many Muslims are ready to travel great distances in order to buy a special type of commodity or a food which has special characteristics, whereas the difficulty which they undertake for this purpose is not to please Allâh and his Messenger ﷺ but just to fulfill their desires. When they face the same difficulty in practicing upon an aspect of religion, these people make excuses and do their best to avoid it based on the fact that 'Islâm is easy,' without saying once that 'verily with difficulty there is ease.'

It is not possible to enter *Jannah* without undergoing hardships. I would like to give an example of this, and it is the strict vegetarians who refrain from eating meat and anything derived from it. They are well-known all over the world for exercising extreme caution in what they eat. Their level of precaution has reached such bounds that some of them don't even eat the cakes and preserved fruit which are found in stores out of fear that it may contain animal oil. They inquire about the ingredients of a food before they buy anything, and there are stores all over the world which cater especially for them.

These people have made their own dietary laws and they follow them without considering investigation and precaution to be a type of fanaticism or a waste of time and effort. So why is it that the Muslims - who have been given a book from Allâh and Sunnah of his Prophet ﷺ - are not concerned about eating lawful food and do not try to find lawful food? May Allâh

benefit us from what we have said, free us from our responsibility on the Day of Judgment, and make our actions sincerely for him.

The Organization of Muslim Youth in Denmark

A Summary

1. The Qadiyânis were the group which certified that the meat and chickens exported to Muslim countries were slaughtered according to Islâmic law, and they were receiving a fee in exchange for this certification. Then, another Islâmic Agency wrestled the right to certify from the Qadiyânis and also took on other responsibilities such as looking after the interests of the chicken companies, the Arab Importers, and the Arab Embassies which stand behind these companies.

2. The majority of the people working for the Islâmic Embassies do not represent Islâm and they are only worried about following the etiquettes of diplomacy.

3. The Christians of Denmark and other people who are considered to be Christians have left the basic teachings of the people of the book and it is not possible to consider them to be people of the book. In fact, they are closer to being communists and pagans than they are to being Christians.

4. The supervisors of the slaughterhouses in Denmark who export meat and chickens to Muslim Countries have not allowed the Organization of Muslim Youth in Denmark to observe their method of slaughter, claiming that this organization does not represent Muslims and only the Islâmic

Embassies which certify the meat before export represent Muslims. The companies which do not export meat to Muslim Countries allowed this organization to come to their premises in order to observe their method of slaughter.

5. The slaughterhouses in Denmark do not have access to accurate information regarding the Islâmic method of slaughter which is obtained through authentic Islâmic sources. The only information which they have regarding the Islâmic requirements for slaughter is what they obtained through hearsay. They are not concerned about slaughtering according to Islâmic law because they have incorrectly assumed that Muslims do not have established laws for slaughter in their religion.

6. The Arab importers require a label to be placed on the carton which says that this animal was slaughtered according to Islâmic law and they are the ones who prepare this label. The exporting companies of Denmark are willing to go along as long as they are benefiting.

7. The method of slaughter is that the animals are first stunned and their heads are cut. This very same method is used for the animals which are exported to Muslim countries and for the other animals; the only difference is that a label is placed on the package of meat which is sent to Muslim Countries.

8. The companies in Denmark which export to Muslim countries are only concerned about pleasing the embassies of the importing Muslim countries and receiving their approval.

9. The solution is to establish Islâmic slaughterhouses for exporting meat to Muslim countries and to support them with one's knowledge, physical capability, and wealth.

Abdullah A'li Husayn Writes In His Book, Meat – Various Discussions Regarding Slaughtered Animals, Hunted Animals, And Preserved Meat:

Meat preserved in cans such as Poly Beef and meat preserved in tins is imported to Egypt from Europe, Australia, and America. Definitely, this meat and all food which contains this meat is unlawful to consume because this is the meat of an animal which was dealt a violent blow and beaten until it died. The method of slaughter in almost every country is the same, and it is to strike the animal on its brain. The animal falls to the ground motionless as a result of this blow to the brain, and thereafter, it is skinned and cut into pieces. This animal is used to make all types of preserved meat and other meat products[1].

I wanted to find out about the method of slaughter used in western countries through official sources so that there remains no doubt or possibility for dispute in applying Islâmic law. Therefore, I wrote a standard letter to the Consul of the following countries: England, France, Spain, Holland, Italy, Turkey, South Africa, the United States, Brazil, Australia, Russia, Denmark, Switzerland, and Romania. This letter contained three questions:

1. What is the method of slaughter in your country, or in other words, how do you kill the animals which you intend to consume?

2. In your country, what is the first part of the animal's body which you strike in order to kill it ?

3. What are the various types of preserved meat which are produced and exported from your country?

The author then mentioned that Turkey, Greece, Holland, Spain, and Denmark were the only countries that answered this questionnaire. The responses of Holland and Denmark were the most glaring examples of being in contradiction with the Islâmic method of slaughter. Because of this, we will mention their response below:

Response

1. The method of slaughter in Holland

The animals are killed as quickly as possible after being stunned, and the blood is then drained out. The animals are stunned using a machine which makes them lose consciousness. (They are not allowed to cut the head or the neck, and civil regulations do not allow the use of a knife for slaughter). Therefore, the animals are killed using a helmet which contains a bolt filled with gunpowder which ignites and drives the hollow drill into the brain of the animal. This hollow drill returns back to its place before the head of the animal falls to the ground.

2. The method of slaughter in Denmark

Horses, oxen, and large calves are slaughtered through stunning. A piston made specially for stunning is used to shoot lead into the brain, and sometimes another type of pistol is used which releases a penetrating nail. Small calf and sheep are also slaughtered through stunning; either lead is used or the animal is struck with force on the front part of the forehead using a hammer. Regulations require that the chickens be slaughtered either by delivering a quick blow to the head with a hammer or by quickly separating the head from the body. When horses,

oxen, and large calves are slaughtered according to the method described above, the blood is removed by placing a normal knife at the bottom of the neck where there is a large artery connecting to the chest. The blood of small calves and sheep is made to drain out by making an incision in the bottom part of the neck which contains the large artery located near the top part of the chest.

The author further mentions, "All of this is solid official proof substantiating our claim that the animals slaughtered in these countries are killed by a violent blow and are impure corpses which are unlawful for a Muslim to consume, give to someone else, carry, or sell. I was already convinced of this fact because of what I had come to know about their method of slaughter during the five years which I was studying in Europe. I had discovered that they slaughter animals by hitting them once on the front of the head near the brain between the two temples using a tool made specially for this purpose. This blow makes the animal to fall to the ground unconscious. Out of fear of making a claim without proper knowledge, I have obtained written proof from the countries themselves. I am publishing this now so that people can come to know."

He also says, "I sent a letter to Doctor Abdul Hamîd Mustafâ Fargaly, who specializes in animal physiology at John Hopkins University in Baltimore, USA, asking him about the method of slaughtering animals for consumption in America. I received a response from him on July 15, 1947 in which he said, "You asked me about the method of slaughter. The animal is struck with a pointed hammer in the head, causing it to die. Thereafter, the neck is cut. However, they do not slaughter according to the religious law of Muslims or the Jews, and they use this same method for all animals."

Chapter 13: A Judgment Passed By The Committee Of Senior Scholars Regarding Imported Meat

Fourthly, we will apply Islâmic law to the issue of imported meat in light of the information obtained through personal observation and other means.

There is no benefit for the people who try to consume only lawful food and stay away from that which Allâh has made unlawful in just describing the method of slaughter in Islâmic law without applying it to the meat imported to the Kingdom of Saudi Arabia from Europe, America, and other countries. Such people cannot know the ruling of this imported meat unless they first come to know of the method of slaughter and the condition of the slaughterers in these western countries and other countries which export meat to the Kingdom, and how is this possible? It is difficult to travel to these countries because of the distance and the hardships involved, so only a few people are able to do so.

The majority of the people who travel to these countries do so either for medical treatment, other necessities, satisfying a wish, or for sight-seeing. Such people will not be interested to investigate this matter and will not go through the trouble to get to the bottom of things. Because of this, the head of the administration of scholarly studies, fatâwâ, da'wah, and *irshâd* (spiritual guidance) sent letters to the people in charge of importing meat and other food products. In these letter, this group requested those in charge to inform them of the current situation and advised them to take extra precaution to import only lawful goods in order to protect the religion of the people,

save them from eating that which is unlawful, and provide the basic necessities of Muslims through lawful means.

The people in charge of the importing companies sent an ambiguous reply which was not enough to remove doubt and satisfy the conscience. Therefore, the public ministry wrote to the people responsible for propagating Islâm in Europe and America asking them to investigate the method of slaughter and the religious status of the slaughterers in their respective countries. A group of these delegates did write back, but there was still ambiguity in some of their replies.

A group of people who held their religion in high esteem wrote articles in magazines describing the method of slaughter and the status of the slaughterers – may Allâh reward them all. However, this information did not shed any light on the condition of the companies which export to Saudi Arabia and there still remained some ambiguity. In spite of this, the Committee will now present a summary of its findings from the letters it received, from the magazine articles it came across which discuss the Islâmic method of slaughter and from all the general fatâwâ (religious rulings) that were passed regarding this topic. Based on this information, the following rulings can be given:

1. Based on the letter from the secretary general of the *Ribât Al-Â'lam Al-Islâmi* (Muslim World League) to the head of our committee, it is unlawful to consume the meat of the animals slaughtered in Australia. This is because this organization received a letter stating that some of the Australian Companies which export meat to Muslim countries – especially the company, Al-Halâl As-Sâdiq which is run by Qâdiyânis – do not slaughter cows, sheep, and birds according to Islâmic law.

It is very important to study the contents of this letter and the advice given by this organization therein.

2. Based on the letter from Ahmad Ibn Sâlih Mahâbri regarding the method of slaughter in the Princisa Company, it is unlawful to consume their meat. This is because it is not known whether the slaughterer is a Muslim, a person from the people of the book, pagan, or an apostate. There is doubt whether the two jugular veins are cut or if only one is cut. Furthermore, this meat is certified by an organization which does not personally witness the slaughter and nor do they appoint someone to witness it. Also, this organization has no knowledge regarding the status of the slaughterer. The argument for their method of slaughter being un-Islâmic is further supported by the fact that the head of this company was ready to modify the method of slaughter so that it could be in accordance with Islâmic law on the condition that the Muslims first specify the amount of meat which they will import.

3. Also based on the letter of Ahmad, it is unlawful to eat the meat of the Sadia Awiysita. This is because there exists a doubt as to whether the people who slaughter chickens and cattle in this company are from the people of the book or pagans. Also, the cows are stunned using an electric shock and are raised up by a machine once they fall. Thereafter, the skin of the neck is slit using one knife and the jugular vein is cut using another knife, causing the blood to flow in abundance.

4. Based on the letter of Shaikh Abdullah Al-Ghâdhiyah, the animals slaughtered in London are unlawful to consume. This is because the people who carry out the slaughter are pagans or atheists. The chickens come out of the machine dead with their feathers plucked, but the head remains attached to the body without any sign of slaughter apparent on its neck, and the

Englishmen themselves admit to this fact. The manager of the slaughterhouse tried to deceive the Muslim who wanted to know how the animals were slaughtered in an automatic slaughterhouse which exports to other countries, and the manager instead took the Muslim to a slaughterhouse where a small number of Muslims were slaughtering for local consumption. This creates a doubt in their method of slaughter and the religious status of the slaughterer.

5. Based on the letter of Hâfiz which discusses the method of slaughter in some famous places in Greece, it is unlawful to consume the meat. This is because their method of slaughter is to first strike large animals on the head with a pistol and slaughter them after they fall to the ground. This creates a doubt as to whether the animal was slaughtered after it had already died from the blow of the pistol. They also have another method of slaughter which the author says is in accordance to Islâmic law. He did not further elaborate on this method of slaughter and on the religious status of the slaughterer. Similarly, he did not provide further description of the slaughter in different places or the meat companies in Greece.

6. Based on the letter of Shaikh Abdul Qâdir Al-Arnaût describing the method of slaughter in Yugoslavia, the animals slaughtered in the villages and in Sarajevo are lawful to consume because the slaughter takes place according to Islâmic law and the slaughterer is a Muslim. The animals slaughtered in the other cities of Yugoslavia are sometime slaughtered by a non-Muslim who is either from the people of the book or a person who is outwardly a communist. Therefore, the animals slaughtered in these cities are unlawful because there exists a

doubt as to whether the slaughterer has the necessary qualifications for his slaughter to be recognized in Islâmic law.

7. Based on the letter of Doctor At-Tibâ' regarding the method of slaughter in West Germany, the animals slaughtered there are unlawful to consume because the cows are first hit on the head using a captive bolt pistol and are only slaughtered after they have already died.

8. Based on the article published by the Al-Mujtami' magazine, vol. 414 regarding the method of slaughter in Denmark, the animals slaughtered in that country are unlawful to consume. This is because the slaughterers are closer to being communists and pagans than they are to being Christians. The companies of Denmark do not have access to information which would make it possible for them to slaughter according to Islâmic law and to write on the package that this animal was slaughtered as such. [The only information which they have at their disposal] is what they obtained through hearsay. The importing agency has this meat certified in order to convince anyone who has a doubt regarding this meat that it is lawful. This agency does not allow anyone to find out how these exporting companies slaughter animals.

The letter of Ahmad Sâlih Mahâyirî also proves that the meat slaughtered in Denmark is unlawful. He wrote in his letter that Muhammad Al-Abyadh Al-Magribi, a worker in a canning factory in Denmark, informed him that they write on the cans that this meat was slaughtered according to Islâmic law. This is incorrect because the animals are killed by an electric shock under all circumstances.

9. Ibn Al-A'raby's view is that cattle, birds, and other animals slaughtered by the people of the book are lawful under all circumstances, even if the Islâmic requirements of slaughter are not fulfilled. He also says that whatever they consider to be lawful in their religion will also be lawful for us unless if it is something which Allâh has declared to be incorrect. This view is incorrect based on what we have mentioned above in the discussion of the method of slaughter and in the fatâwâ.

10. Based on what we have already mentioned regarding the method of slaughter and the religious status of the slaughterer, it is clear that the letters sent by the Ministry of Commerce and Occupation to this Committee are not enough to satisfy one's conscience with regards to the lawfulness of this imported meat. At the very least, there still remains some doubt in convincing oneself that this meat was slaughtered according to Islâmic law, and the origin of animals is that their consumption is unlawful. Therefore, it is necessary to look for a solution to this matter.

Solutions For The Issue Of Imported Meat

This can be summarized in the following points:

1. To breed more animals and work to promote it. To import live animals to Saudi Arabia according to need and to make various types of fodder readily available for them. To set up facilities in Saudi Arabia which are appropriate for breeding animals and slaughtering them. To give financial support to local companies and individuals who raise animals in order to encourage others to do the same and to implement an effective method for distributing this money to deserving people in Saudi

Arabia. The same should be done for establishing cheese factories, canned meat factories, clarified butter factories, and factories for all types of oils.

2. To establish special slaughterhouses which are run by Muslims in those countries which normally export meat to Muslim Countries and Saudi Arabia. These Muslims should ensure that the slaughter takes place according to Islâmic law.

3. Appointing trustworthy Muslim workers who are acquainted with the method of slaughter in Islâmic law to slaughter animals according to the need of Saudi Arabia in accordance to Islâmic law.

4. Appointing a sufficient number of trustworthy Muslims who are acquainted with the Islâmic method of slaughter and with various foods to supervise the slaughtering of animals, the management of cheese factories, canned meat factories, and other companies which export to Saudi Arabia.

The Jews have established special slaughterhouses for themselves and have appointed people to slaughter animals according to how they want because of their concern that the slaughter should be in accordance with the beliefs and the laws of their religion. The Muslims are more rightful in doing this than the Jews and there is a greater chance of success if implemented by the Muslims because of the great amount of meat and other products which they consume from western factories and because of the great need of these western factories to sell their meat and other products.

The Committee for Scholarly Discussions and Fatâwâ
Members-Abdullah Ibn Qaû'd, Abdullah Ibn Ghadyân

Deputy Head –Abdur-Razzâq A'fify
Head – Abdul Azîz Ibn Abdullah Ibn Bâz

The letters which we have quoted above from the representatives of da'wah to the Committee of Senior Scholars and the proposals of the Committee for scholarly discussions and fatwa are sufficient to prove that the majority of the certifications which are written on the imported meat saying that this meat was slaughtered according to Islâmic law cannot be trusted at all. Based on this, it is unlawful to consume this meat until it can be established through a reliable source that this meat was in fact slaughtered according to Islâmic law.[121]

Chapter 14 : A Summary Of This Treatise

1. The issue of slaughter is not an ordinary affair like the method of cooking which not governed by any laws. Instead, it is a matter related to worship which is subject to the laws mentioned in the Qurân and Sunnah. The Islâmic method of slaughter is one of the unique features of Islâm which distinguishes a Muslim from a non-Muslim. Rasûlullâh ﷺ said in this regard, "He who performs our *Salâh*, faces our *qiblah* (direction of worship), and eats our slaughtered animals is a Muslim who is deserving of the protection of Allâh and his Messenger ﷺ."

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[121] The translator wrote a letter to the Hayatu Kibârul Ulamâ (the group which wrote the original fatwâ included in this book) asking them whether this fatwa under discussion is still relevant in today's times. No written reply was given even after three months of sending the letter. However, Shaikh Abdullah Mahmood did give a verbal reply to the translator on the phone that this fatwâ still applies today. Allah knows best.

2. The meat of an animal will only become lawful if it slaughtered according to Islâmic law, even if it is the meat of an animal which can normally be eaten. For the slaughter to be valid, the following conditions must be met:

a. Animals which can be subdued must be killed by cutting the vessels of the throat. There is a difference of opinion regarding the minimum number of vessels which need to be cut

b. The slaughterer must be either a Muslim, Christian, or Jew. He must also be sane and old enough to know the difference between right and wrong.

c. The slaughterer must recite the name of Allâh at the time of slaughter. If the name of Allâh is left out intentionally during the slaughter, then such an animal is in the ruling of those animals that were killed without being slaughtered according to the majority of scholars of Fiqh. This view is supported by many strong and explicit proofs. If a person leaves out the name of Allâh forgetfully, he will not be held accountable for omitting the recitation of the name of Allâh and the animal will be lawful to consume. There is no clear narration from Imâm Shâfi'î in which he has stated that it is permissible to intentionally leave out the name of Allâh. Instead, a passage which he has written in Al-Umm indicates that he only considers it permissible to leave out the name of Allâh in the state of forgetfulness, and he has clearly stated that an animal is unlawful to consume if the slaughterer leaves out the name of Allâh because of him not considering it to be important.

3. The animals slaughtered by the people of the book were only made lawful because they used to follow the regulations of their Holy Law while slaughtering. They used to consider

animals which were not slaughtered according to their Holy Law, animals which were strangled to death, animals which were killed by a violent blow, and animals which were killed by other animals to be unlawful to consume. We have already mentioned the texts from their Holy books which prove this. They used to only recite the name of Allâh during the slaughter and would not recite anything else. It was because of this that the animals slaughtered by them were considered to be on the same footing as animals slaughtered by Muslims and were made lawful for Muslims.

4. In the same way, the women from people of the book were made lawful for Muslims to marry because of the fact that they used to abide by laws regarding marriage which were similar that of Islâm. For this reason, marriage with the people of the book will only be valid if it takes place according to Islâmic law. Just as the verse, "And [lawful in marriage are] chaste women from among those who were given the Scripture before you" unanimously applies only to a marriage which takes place according to Islâmic law, similarly the verse, 'And the food of those who were given the Scripture is lawful for you ' also applies only to animals that were slaughtered according to the Islâmic law because both rulings are mentioned together in one context.

5. Ibn Al-A'raby's view that it is permissible to consume the meat of an animal strangled to death by a person from the people of the book contradicts his own view that the meat slaughtered by the people of the book only becomes lawful when they adhere to Islâmic law. Out of these two contradictory views, we will accept that view which is in conformity with clear proofs and the consensus of the scholars. He has based his view on this meat being lawful on the

assumption that an animal strangled to death is lawful for the Christians to consume in their religion, whereas the reality is that their Holy Books clearly state that such an animal is unlawful. Therefore, we will not consider this digressed view.

6. The correct view is that the people of the book must recite the name of Allâh in order for the animals slaughtered by them to become lawful, just as is the case with Muslims. This is because the verse, "And do not eat from that upon which the name of Allâh has not been mentioned" covers both Muslims and people of the book, especially since the passive tense is used in this verse.

7. The term 'people of the book' refers to Jews and Christians who hold faith in the fundamental beliefs of their religion, even if they believe in false concepts such as the trinity and atonement. A person who doesn't believe in a supreme being, prophethood, and the heavenly scriptures is an atheist who cannot be considered to be from the people of the book, even if he is formally regarded as being a Jew or Christian.

8. The meat found in a Muslim Country whose slaughterer is unknown is considered to be slaughtered according to Islâmic law and lawful unless it is clearly established otherwise. The proof for this is the Hadîth of Â'isha ﷺ which mentions the ruling of the animals slaughtered by Bedouins.

9. The meat sold in the countries of the people of the book will be in the ruling of meat slaughtered by the people of the book unless it is established that the slaughterer was not from them.

10. The contemporary Christians have freed themselves from following any laws for slaughtering animals and they have abandoned the laws of their religion. As a result of this, they do

not consider it necessary to slaughter according to those methods of slaughter which are acceptable in Islâmic law. Therefore, the animals slaughtered by them are unlawful to consume unless it is established that a specific meat was slaughtered by a Christian in accordance with Islâmic law. This means that the meat which is sold in their stores and whose slaughterer is unknown is unlawful.

11. The automated method of slaughtering chickens has the following shortcomings from an Islâmic standpoint:

a. Immersing the chicken in cold water containing an electric current before the slaughter. This is because there is a possibility that the electricity will cause the death of the animal.

b. The difficulty in reciting the name of Allâh upon the animals slaughtered by the rotating blade.

c. The doubt which arises from the fact that some of the vessels are not cut in certain circumstances.

12. It is still possible to use this automated method for slaughtering according to Islâmic law by implementing the following changes:

a. The electric shock which is used to stun the animal should either be discarded completely, or it should first be verified that the voltage is so low in intensity that it doesn't cause the animal to die before the slaughter.

b. The rotating blade should be replaced by humans who slaughter while reciting the name of Allâh.

c. The water in which the chicken is immersed after the slaughter should not reach boiling point.

13. There are two issues of contention in the automated method for slaughtering cows and sheep. The first is that when the animal is sedated either by using a captive bolt pistol, carbon dioxide gas, or an electric shock, then there is no assurance that the animal does not die before being slaughtered. Therefore, it is necessary to modify this method in such a way that we know for a fact that it does not cause any pain to the animal and that it does not cause the death of the animal before it is slaughtered. The second issue is that sometimes the animals are slaughtered without their vessels being cut. Therefore, it will only be permissible to use this automated method of slaughter when we know with certainty that both these possibilities do not exist.

14. It is not permissible to consume the meat of animals imported from non-Muslim countries, even if it is written on the package that this meat was slaughtered according to Islâmic law. This is because it has already been established that these certifications cannot be relied on, and the original state of animals is that their consumption is unlawful.

Recommendations

1. Muslim countries should increase their animal stock so that they don't have to import meat from non-Muslim countries.

2. If a country needs to import meat, then it should try to import only from Muslim Countries.

3. Until Muslim countries are able to increase their animal stock to meet their meat requirements, they should require the importing companies to send delegations of scholars and people who have knowledge of Islâmic law to the exporting companies. These delegations should request the exporting companies to adjust their method of slaughter so that it can be in accordance with Islâmic law.

Furthermore, they should appoint some Muslims in that country who hold their religion in high esteem to regularly supervise the method of slaughter in a reliable manner. These Muslims should only certify that the slaughter took place according to Islâmic law when they are completely certain of it. They should also not just give a short-form certification that this meat is lawful or that it was slaughtered according to Islâmic law. Rather, their certification should clearly specify that all the conditions for slaughtering an animal according to Islâmic law were fulfilled, i.e. the animal was slaughtered by a Muslim or by a person from the people of the book, the slaughterer recited the name of Allâh at the time of slaughter, and he cut the required vessels.

4. Muslim Countries should not allow companies to import meat from non-Muslim countries and should prevent them from using short-form in certifying the meat to be lawful unless they fulfill the requirements of slaughtering which were mentioned in the paragraph above.

5. The Islamic Fiqh Academy of Jeddah should form a council and invite as many supervisors and representatives as possible from the Muslim companies which import meat in order to explain to them the importance of this issue and describe to them the correct way of doing business dealings in Islâm.

Appendix 1 (Translator) - Data On Stunning

The following is a collection of articles written on stunning[122]

Article 1

Only Halâl (lawful) is humane

What we always knew about Halâl is borne out by the results of a recent study undertaken by Professor Wilhelm and Dr Hazim at the School of Veterinary Medicine, Hanover University, Germany. The professor and his colleague have found that the 'Direct Method' of slaughtering an animal, which is more the Islâmic method of Dhabh, is more merciful as compared to the conventional method in the West, whereby the animal is stunned with a 'captive bolt pistol' before being slaughtered.

Research into the pain and the consciousness of an animal slaughtered in the halâl/ dhabh way, as was practiced by the Prophet Muhammad ﷺ, and enjoined upon Muslims to follow, discovered that:

- The first three seconds [after the fatal incision is made across the throat, as is done in the dhabh method] as recorded on the EEG (Electroencephalogram) – electric recording of the brain – did not show any change, that is, as compared to before the incision, thus indicating that the animal did not feel any pain during or immediately after the incision

[122] The majority of these articles were taken from www.unstunnedhalâl.com

- In the following three seconds, the EEG recorded a condition of deep sleep-unconsciousness caused by the large quantity of blood gushing out of the body;

- After the lapse of these six seconds, the electric recording of the brain (EEG) registered zero level, showing no feeling of pain by the animal at all.

However, in contrast to this Islâmic halâl or dhabh method, the western Direct Method with a captive bolt pistol showed:

The animal was apparently unconscious soon after stunning; EEG indicated severe pain being experienced by the animal, immediately after stunning; and the heart of the stunned animal stopped beating earlier than the animal that is slaughtered according to the Islâmic method of dhabh, resulting in retention of more blood in the carcass. Meat thus produced for consumption is unhygienic (and can cause poisoning and disease to the consumer).

Stunning an animal before killing has been found to spread the mad cow disease in recent research carried out at Texas University and by Canada's food Inspection Agency as it scatters brain tissue throughout the animal. The brain tissue is the most infectious part of the animal.

Therefore, the proper Halâl or Dhabh/ Direct Method is not only the humane method – a mercy to the animals – of slaughtering animals but also the safest for consumption of meat – for it rids the meat of blood.

This is also the only method that drains the blood completely from the carcass (blood is unhygienic and harmful) and without any danger to health from the brain and spinal cord.

Truly Prophet Muhammad ﷺ came as a mercy to all (al-'Alameen); saved animals from suffering, and showed the way to healthy and safe way of consuming meat ...!

Unfortunately, many Muslims in Britain do not follow the Prophet's way (without stunning) even though the law allows us to do dhabh as prescribed by our beloved Prophet ﷺ.

Dr A Majid Katme
Spokesman on Halâl Meat and Food
(Islâmic Medical Association)
London, England

Article 2

WHY STUNNING THE ANIMAL BEFORE (DHABH) SLAYING CAN NOT BE ACCEPTED BY THE MUSLIMS?

by Dr A Majid Katme

. . . **There are many types of stunning techniques today:**

the captive bolt pistol (used for cows/cattle).

electric stunning (used for sheep).

electrified water bath (used for poultry).

carbon dioxide (co2) gas (used for pigs).

Medical research, scientific and medical evidence has, shown that stunning causes

Some animals to die as in the electrified water- bath for poultry or chicken: government figures about 1/3 of chickens die before doing the cut. This is *mitah* (dead) and is prohibited to eat in Islam. The problem today: there is no body or doctor checking each animal after death (sheep, chicken...) if it died from stunning or from the cut? At least many are *shubuha* (doubtful) and a Muslim should avoid it.

The verse was clear before: it is prohibited to eat any dead animal before the cut.

Less bleeding out, more blood in the meat; stunning causes "salt and pepper hemorrhage" inside the meat and blood can not be taken out, also by causing some animals to die when the heart stops, this will causes less bleeding out and more blood inside. It has been proved that the direct method of slaying the animal without stunning as in *dhabh* causes more bleeding out.

Blood is harmful to health as it is full of bacteria, infective agents and waste and harmful substances. Chemical changes in the meat… Making the meat less healthy and less nutritious. Cruelty and suffering to the animal that can not complain or speak up

More stress to the animal which causes more discomfort and some harms to our health by consuming the meat of the "stressed animal". Failure on proper effective stunning, half stunning, paralysis and re-stunning; surely this is cruel.

Not only that but today there are many non-Muslim scientists who oppose stunning, in the west for humane and health reasons like: Van der wal, Wenberg, Mcloughlin, Pollard, Winstanley, Marple etc....and it is legal…the law of the land: Muslims and Jews to do *dhabh* /slaying without stunning. (Religious slaughter)…

Lastly: new scientific medical researches done by doctor's, vets, pharmacists, pathologists and members of parliament in Syria have showed clearly the therapeutic effect of saying: Bismillah Allâh Akbar (in the name of Allâh, Allâh is the greatest) on the animals:

If the animal hears that, it gives him/her the tranquillity and it takes away any germ or infection to give you pure healthy meat, the animal has to be fully conscious and alive before the cut/dhabh...and not unconscious or dead as it happens with some animals when stunning was used.

There are also two well known Islamic rulings:

• The first, any step or action leading to Harâm is not allowed to do. We know well today that some animals die before we do any cut and a dead animal is forbidden to consume if it dies before slaying/dhabh. Also scientists have proved that stunning causes blood hemorrhage and blood inside the meat. Consuming blood is forbidden in Islam.

• The second ruling; a golden rule in Islam. If anything is doubtful (*shubaha*), the Muslim has to avoid it and we know today about the doubt in the stunned animals (death and blood).

This was done and repeated in many double blind "studies. Video, slides and the book is available, even the Syrian doctors and scientists are willing to come to Britain to explain it all. Lately also, Britain and Europe has prohibited one type of stunning (pithing) because of the risk of BSE. One could see clearly that many harâm/prohibited things can occur as a result of stunning like: eating dead animal/mitah (not from the cut), consuming blood, which is forbidden too, meat not *tayyib*/wholesome/natural/pure due to some chemical changes in the meat. Besides it is cruel to the animals...

Dr. A. MAJID KATME

The Muslim Campaigner for Halâl Meat and Food

Article 3

In an address to approximately 300 to 400 specialists at the UFAW (Universities Federation Animal Welfare) given by Dr Abdul Majid Katme of the Muslim Doctors' Association. He states:

(4) **Electrified Water Bath for Poultry Stunning** 'The birds are suspended on a shackle (upside down) then the head is intended to comy into contact with the water and the passage of an electric shock through the brain'. (FAWC 1982)

Problems and harm with this method:

A very cruel way to give the electric shock, especially in this uncomfortable position; Drowning and suffocation resulting in death. It was well-documented that some birds were taken, still alive to the scalding tank (to remove the skin and feathers)

(Health et al 1983). 'One-third of the birds are killed in the stunner and one-third are not stunned'. (FAWC 1982). Death from the\stunner. [123] 'A substantial number were killed as a result of the shock from the stunner.' (FAWC 1982). In this report, they emphasised, clearly, eight reasons why stunning may not be satisfactory (please see the report for details). Paralysis by failure of stunning.

With regard to pain, apart from the above suffering, the FAWC we reported' a substantial number may still be sensitive to pain'. I would like to conclude this aspect of pain by quoting from the same poultry report of the FAWC. 'The physiology aspects of the stunning of poultry are not well understood and criteria for establishing insensitivity to pain, suitable for use in working conditions, may well be unreliable."

It cannot be guaranteed that the chicken will remain alive after stunning. The variations in sizes of the chickens and their individual resistance capacities mean that a blanket magnitude of current cannot be set. The health of each individual chicken will also influence its endurance capacity. Legislation does not specify any specific magnitude of current. However, if electric current is used it must be sufficient to induce immediate unconsciousness for all chickens and last until they die.

123 "A substantial number were killed as a result of the shock from the stunner". (24% *dead in UK, MAFF 1999*, 17 to 37% *in USA*) Taken from the 'Assessment of the Muslim method of slaughter', presented by Dr. Abdul Majid Katme, (Chairman of the Islamic Medical Association in the UK) at the UFAW* Symposium on Humane Slaughter and Euthanasia, held at the Zoological Society of London, Regent's Park, on the 18th and 19th September, 1986.

In the correspondence from the MAFF dated 5th October 1999, it is stated:

When birds or animals are stunned, induction of unconsciousness must be immediate and must last until the bird or animal is dead. The legislation does not specify maximum or minimum currents to be used during electrical stunning.

This department has commissioned research on electrical stunning; this has confirmed that there is variation in the current received by each bird in constant voltage waterbath stunners. Because the non-statutory recommended currents for each species are intended to stun all birds, they are set at levels, which at 50 Hz (mains frequency), will result in some birds receiving current which is sufficient to cause death by cardiac arrest.

This may be addressed in various ways. Depending on the line speed, it may be possible to identity birds which have been killed in standard 50Hz waterbath stunners as when they leave the stunner they will be limp, whereas stunned birds will be rigid. It may also be possible to identity these birds during post-mortem examination. Either way, this could allow these carcasses to be identified and removed from the line.

Application of current at higher frequencies is not associated with cardiac arrest and many poultry slaughterhouses now use high frequency stunning equipment. Alternatively, constant current stunning equipment may be used to ensure that each bird receives a predetermined current sufficient to stun but not to kill."

"It can be seen that constant voltage waterbath stunners are totally unreliable. The MAFF also do not contend categorical identification of birds that have been killed as a result of stunning. Instead, they have used the words: 'it may be possible'. Similarly, they have not asserted that stunning current at higher frequencies will not kill the animal. Instead, they have used the words 'is not associated with cardiac arrest'. Finally, the assertion that 'constant current stunning equipment may be used to ensure that each bird receives a predetermined current sufficient to stun but not to kill is very questionable. The individual endurance capacities and state of health of the various sizes of chickens renders it impossible to set a minimum rate, as the minimum magnitude of current required to only stun the healthier and more enduing birds may be enough to kill the less healthier and less enduring chickens. Furthermore, all this is in addition to the fact that stunning is not permissible within the Islamic parameters due to the unnecessary pain it inflicts upon the animal.

Mufti Mohammed Zubair Butt

1. The Captive Bolt Pistol

Used commonly for cattle, calves and goats. It is the shooting, by a gun or pistol in the forehead (mechanical method) by a blank cartridge or compressed air. It could be penetrating or non-penetrating (percussion stunning). It breaks the skull, shatters and destroys the brain. A rod of steel is introduced in the skull hole to smash, cut and destroy the brain *[pithing:now to be prohibited in UK and Europe by January 2001]*. All this occurs before the real slaughtering cut is made. Recently, a new method by which a steel needle to penetrate the skull and brain

and in which air is injected to cause intracranial pressure has been developed.

Problems, harm and results of this method have been reported in different scientific and Government reports, as follows:

- Improper stunning (failure of stunning leading to re-stunning and double shots (*FAWC 1982 and 1984*);
- Paralysis of the animal while still conscious (*FAWC 1982 and 1984*);
- 'Depressed skull fracture' and considerable damage to the brain (*FAWC 1984*);
- Brain contamination (*Blackmore 1979*);
- Blood splash (extranvasation of blood from vessels Into muscle and meat with some clotting of the blood) (*Blackmore 1979*);
- Brain hemorrhage (*Blackmore 1979*);
- Bruising and injuries from the heavy fall of the animal after the shot;
- Death reported by Lawton (*1971*); Temple Grandin (*1980*) stated that tests on sheep and calves indicated that penetrating captive bolt stunning actually kills the animal;
- Damage or harm to the meat. Marple (1977) stated 'Captive bolts should be discontinued in view of their detrimental effect on meat quality. (Quoted by Biala 1983)

Appendix 2 (Translator) - Kosher Meat

Kosher meat has become a controversial issue in recent times and many Muslims are under the impression that the Jews fulfill all the conditions of slaughter stipulated by Islamic law, thereby making their slaughtered animals lawful for Muslims to consume. However, it has been difficult to issue a decisive ruling in this regard because of the lack of reliable information regarding the Jewish method of slaughter. For this reason, when many of the great scholars of today's time where asked regarding the ruling of Kosher meat, they simply mentioned the Islamic requirements of slaughter and said that this meat would be lawful if these requirements were met. In order to shed further light on this issue, we have attempted to obtain accurate information regarding the Jewish method of slaughter through eyewitness testimonies, articles written by Muslims, and questionnaires sent to the Jewish Rabbis themselves. Through this, we hope that we can pass a decisive ruling on this matter.

Firstly, it is of vital importance that we establish that the same requirements that a Muslims needs to fulfill in order for his slaughter to be valid in Islâmic law also have to be fulfilled by the people of the book. The scholars of Fiqh have laid down three basic conditions for the slaughter to be valid in Islâmic law. Firstly, under normal circumstances, it is necessary to make the blood flow by cutting the vessels. The second is that the name of Allâh be recited, and the third is that the proper qualifications be found in the slaughterer, i.e. that he either be a Muslim or from the people of the book in the true sense of the term. There is some difference of opinion regarding whether the people of the book have to recite the name of Allâh or not. Mufti Taqi Usmani has discussed this question in detail and has

established that it is necessary for them also to recite the name of Allah. Please refer to page 40-52.

There is an important principle regarding animals which Mufti Taqi has discussed. When there is doubt on whether the meat of an animal is lawful or unlawful, then we will consider it to be unlawful unless we come to know with certainty that the animal is in fact lawful. The proof for this is the Hadîth of A'diy Ibn Hâtim ﷺ which wherein Rasûlullâh ﷺ declared a hunted-animal to be unlawful when another hunting-dog had participated in the kill because it was unclear as to which animal had made the kill. In the same way, Rasûlullâh ﷺ is reported to have said regarding a hunted animal, "If you find that it has drowned in water, then do not eat from it because you do not know whether it died because of the water or because of your arrow."[124] Mufti Taqi has applied this same principle to the meat slaughtered in western countries where the majority of the inhabitants are people of the book and we know with certainty or with probability that the people of the book in that country do not slaughter according to Islâmic law. He has stated that the meat slaughtered in such a country will be unlawful unless we come to know that a specific meat was slaughtered in the Islâmic way.

In order to pass a ruling on Kosher meat sold in western countries, we will first have to ascertain whether the Jews fulfill the requirements of Islâmic law in their slaughter. It is a well-known that Jews are very particular about their slaughter and they take extra pains to ensure that their meat is slaughtered according to Kosher law. On the outward, most of the conditions of slaughter in Islâmic law are met. However,

[124] Sahih Muslim (943)

the issue of contention regarding the Jewish slaughter is the recitation of the name of Allâh. The testimonies of Muslims, articles, and replies of Rabbis quoted below prove without a shadow of a doubt that the name of Allâh **definitely** is not recited on every animal. In light of above-mentioned principle, this doubt alone is enough to render Kosher meat unlawful until it can be established otherwise. Furthermore, if we know with certainty that the name of Allah is without a doubt not recited, then the factor for rendering this meat unlawful will be even more stronger. The burden of proof is on anyone who claims that Kosher meat is lawful to establish that that the name of Allâh was recited on a specific meat. Until then, we can say with certainty that Kosher meat is unlawful for a Muslim to consume. And Allâh knows best.

Muhtaram, Assalâmu 'alaykum w.w.

I was supervising Halâl ritual slaughter at the Johannesburg Municipal Abattoir at City Deep for almost 27 years. The Jews carried out the Kosher Ritual Slaughter almost every week and I can confirm that they did not pray on the slaughter of each animal.

At the beginning of the day, the Shochet (Qualified Jewish Slaughterer) would say a prayer in Hebrew. No prayer was read at the time of slaughter.

Was-salâm,

Hajee Mahmood Mahomed

Presently Chief Inspector - South African National Halâl Authority

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20 Zul Hijjah 1425
January 31 2004

To Whom It May Concern

Report by Ahmed Kathrada

ASSALAAMU ALAYKUM WARAHMATULLAH

The Cato Ridge Abattoir situated halfway between Durban and Pietermaritzburg was at one time under the supervisor (as halaal) of the Jamiatul Ulama (KZN). A permanent halaal supervisor was employed by the Jamiat to oversee the halaal slaughter of cattle and sheep.

The Abattoir had a special arrangement with the Jewish community to slaughter every fortnight. A Rabbi was flown in from Gauteng to perform the slaughter.

On that particular morning the abattoir informs its staff including the Muslim slaughterers of the special arrangements, inter alia, time of slaughter, etc.

Normally at 9 am the slaughter would begin. In other words the halaal slaughter would come to an immediate halt for that period as well as the line cleared for the Kosher kill.

It was my curiosity that once I asked the Rabbi about their slaughter procedures. Some interesting points I had noted is that according to the preferred view of the Jewish faith – stunning of the animal is disliked. In addition, the animal must be slaughtered with one strike; and most interestingly, only once the name of God is taken at the slaughter of the first animal. For example, if ten cattle are slaughtered then only once the name of God is taken before the slaughter of the first animal.

WAS SALAAM

Ahmad Kathrada

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THE FOOD (MEAT) OF AHLUL KITAB

By Dr. Jaafar Al-Quaderi.

. . . As for the Jews, we personally attended a slaughter facility where there were three Rabbis. They all met before starting the slaughter and recited something. Then they separated and each went to a different area to perform their duties. The first was the slaughterman and he performed the slaughter. The second examined the organs of the carcasses to check for any indications of disease. If he detected any, he discarded the organ. If not, he passed the organ on to the third rabbi. The third rabbi stamped the organs and wrote something in Hebrew on them.

During the slaughter operation, the first rabbi, the slaughterman, conversed with us and answered our questions as he was slaughtering. On this day, they were to slaughter approximately 450 cows. After a time, they announced they were near the end of the day's slaughter. The three rabbis met again and recited something in Hebrew and then dispersed again to slaughter the last animal for the day.

During this visit we observed that Jews recite something at the beginning and at the end of the slaughter and they do not recite anything on the animals during the slaughter. On this day, 450 animals were slaughtered and the only recitation performed was prior to the start and prior to slaughtering the last animal. In

spite of this, all 450 head slaughtered were labeled as Kosher. Do we consider this to be the meat of Ahlul Kitab?[125]

Articles:

#1 Is Kosher Meat Halâl? Not Really

By Syed Rasheeduddin Ahmed

POSTED: 24 RABI-UL-AWWAL 1424, 26 MAY 2003

There are several issues with Kosher:

1. In Judaism, the rules and methods of slaughtering are not open and published. Unlike in Islâm, where any adult sane Muslim can slaughter an animal by following the rules prescribed by Shariah (Islâmic Law), in Judaism only one kind of Rabbi, known as the Sachet, may slaughter Kosher animals. The Sachet is specially trained for this purpose and no other Jew can slaughter an animal.

Although Jews say that they slaughter in the name of God, we do not know what else they say in Hebrew while slaughtering. Their prayers and methods of slaughtering are in the hands of a few people and are not generally known.

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125 Halâl Digest, September 2000

2. The Sachet does not say prayers on all animals he slaughters at a time. Instead, he only says prayers on the first and last animals he slaughters. For example, if a Sachet has to slaughter ten cows, he will only say the prayer on the first and tenth cow while slaughtering, saying nothing on the cows in between.

This method of slaughtering is not similar to the method prescribed by Shariah for Hanafi sect, nor is it similar to the practice of *Ahle-kitab* (people of the book) at the time of our beloved Prophet Muhammad ﷺ. Meat slaughtered by *Ahlekitab* was considered *halâl* because of similarity in the slaughtering method and in the *Niyah* (Intention) at that time.

These are the reasons why most Ulamâ (scholars) do not consider Kosher meat *halâl*.

If a Muslim is not in danger of death, he must avoid eating *harâm* food at any cost. If *halâl* meat is not available, one can eat fish or vegetables or can even go to the slaughter house to slaughter an animal himself. There are many *halâl* food stores online who can ship frozen Dhabîha meat or Dhabîha meat food products overnight. There is no excuse to eat non-Dhabîha meat or Kosher meat in USA.

Dhabîha products can easily be found in a big city like New York City. In addition, there are many Muslim-owned restaurants that serve Dhabîha meat and there is no excuse to eat Kosher.

#2 Health in Islam

Is Kosher Halâl?

Islamic Dietary Concepts And Practices

by M.M. Hussaini

Salient differences between Kosher and halâl are:

. . . Jews do not pronounce the name of God on each animal while slaughtering. They feel that uttering the name of God, out of context, is wasteful. Muslims on the other hand pronounce the name of Allâh on all animals while slaughtering.

The salient differences between Kosher and halâl have been illustrated so that Muslim consumers can distinguish halâl from Kosher.

Questionnaire to Rabbis

This is the standard question sent to various Rabbis.

Hello,

I would like to ask a question regarding the Kosher laws of slaughtering. Is it necessary to take the name of god separately before slaughtering each individual animal, or will it suffice to say the name of God once for many animals?

Thank you,
Abdullah
abdullahasia@yahoo.com

Reply # 1

Hi! The Jewish practice with respect to slaughter prayers are to say a pray before beginning a slaughter session, i.e., most Jewish slaughterman do 1 hr or so shifts at any one time and they say one prayer before starting. So for a Muslim, this does not cover the *tc kbir* for every animal. However, the slaughter is very similar to that for the Muslim and many Muslims will accept Kosher meat when halâl meat is not available. Some will then say the takbir at the time of eating.

Hope that helps.

Cheers.

Joe M. Regenstein, Professor of Food Science
Cornell Kosher Food Initiative, Department of Food Science
112 Rice Hall, Cornell University
Ithaca, NY 14853-5601
607-255-2109; FAX: 607-257-2871
email:jmr9@cornell.edu)

Reply # 2

From: "DovidZak, Chabad.org" <dzak@chabad.org>
To: "abdullahasia@yahoo.com"
Subject: Chabad.org: Ask the Rabbi { Incident No. 148185 }
Date: Thu, 06 Jan 2005 10:02:47 -0500

There is a blessing said before and it is enough to say it once for many.

Have a good day,

Dovid Zak
chabad.org

Reply # 3

From: "Rabbi Eidlitz" <eeidlitz@Kosherquest.org>

To: "Abdullah Nana" <abdullahasia@yahoo.com>
Subject: Re: Kosher method of slaughter
Date: Sat, 8 Jan 2005 21:26:41 -0800

once in the beginning is all that is done. Kol Tuv

Reply # 4

"Rabbi A. Scheinerman" <rabbi@scheinerman.net> wrote:
Dear Abdullah,

Your question has been forwarded to me. I want say, at the outset, that I am not an expert in shechitah (Kosher slaughter of animals). In fact, I am a vegetarian. The laws of shechitah (Kosher slaughter) are complex, and extensive training is required to became a Kosher slaughterer. I do not know all the details, but this might help you:

Before slaughtering the animal, the slaughterer recites a blessing whose translation is: Blessed are You, Lord our God, Ruler of the universe, who sanctifies us with commandments and commanded us concerning [the proper way to perform] slaughter. It is my understanding that this blessing is recited for each and every animal.

Many Muslims consider Kosher meat to fulfill the requirements of al-dhabh and hence be halâl. I know an imam in Washington, DC who buys his family's meat from a Kosher butcher. He told me that this is because of the blessing invoking God's name that the shochet (slaughterer) recites before performing the slaughter.

If you have further questions, you're welcome to contact me directly.

All the best,
Rabbi Amy Scheinerman

Rabbi Amy R. Scheinerman
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Taylorsville, Maryland
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http://www.bethshalomcarrollcounty.org

Follow-up

On Jan 6, 2005, at 3:15 PM, Abdullah Nana wrote:

Hello,

Thank you for taking the time to answer my previous question. I just needed some further clarification on this matter. After consulting with some Jews, I had the impression that it is enough to recite this special prayer - which you took the trouble to translate for me - once before commencing the slaughter session and it does not have to be recited separately for each animal. Can you just confirm this for me? Maybe I misunderstood.

Abdullah Nana

From: "Rabbi A. Scheinerman" <rabbi@scheinerman.net>
Subject: Re: Question about Kosher slaughter laws
Date: Thu, 6 Jan 2005 16:29:58 -0500
To: "Abdullah Nana" <abdullahasia@yahoo.com

I consulted a colleague concerning this matter, and it appears that the opinion you heard is accurate: The blessing covers all those animals being slaughtered in one session if the slaughterer keeps it in mind. The blessing is for the act of slaughtering in the ritual manner, not for each individual animal. I hope this helps.

Reply # 5

Subject: RE: Kosher
Date: Mon, 17 Jan 2005 14:18:19 -0500
From: "Webbe Rebbe" <Kosher@ou.org>
To: abdullahasia@yahoo.com

2 Shevat, 5765
Wednesday, January 12, 2005

Send comments/questions to: Kosherq@ou.org

JS-929 – Slaughtering an Animal

Dear 'Abdullah':

Thank you for checking with the OU on your Kashruth question.

As with most positive commandments, a blessing with God's name is pronounced before the performance of the *mitzvah*. One blessing prior to the first slaughtering will suffice for as many animals as will be slaughtered.

Please don't hesitate to contact us again should you have any further questions.

With our sincerest wishes for a warm, healthy, and cozy winter season, we remain,

Sincerely,

The Web (be) Rebbe Team

For more information about Kosher, please go to <http://ouKosher.org>

Reply # 6

To: abdullahasia@yahoo.com
Subject: Kosher (JewishAnswers.org)
From: "Torah.org Ask the Rabbi" <answ16722@jewishanswers.org>
Date: Mon, 3 Jan 2005 19:51:17 -0500 (EST)

~~~~~ JewishAnswers.org ~~~~~
Rabbi E.L. has answered the question you submitted to "Ask the Rabbi" on Friday, December 31st. Below is his response.
Subject:Kosher

Rabbi's answer:
Shalom Abdullah,
~~~~~

Specific prayer by the shochet (slaughterer) is required if the meat is to be Kosher. That is one of MANY requirements, a list as long as your arm. It requires many years of education for a Jew to be qualified.

Regards, Eliahu Levenson

Note: A follow-up question was sent requesting further clarification. To date, no reply has been given.

Reply # 7

Subject: Ask the Rabbi answer

Date: Tue, 25 Jan 2005 10:38:15 -0500

From: "Destiny Zeiders" <zeidersd@empireKosher.com>

To: abdullahasia@yahoo.com

Thank you for your question regarding Kosher laws for slaughtering. The Rabbi answers:

It is necessary to say the name before slaughter. We are blessing the name of G-d before slaughter and this suffices for many birds.